



State of New York

Executive Chamber

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED FEB 28 1983

Secretary of State

No. 8

E X E C U T I V E O R D E R

DIRECTING STATE AGENCIES TO CONSIDER LABOR RELATIONS PRACTICES WHEN AWARDING STATE CONTRACTS

WHEREAS, it is the established policy of the State of New York to award State contracts to the lowest responsible and reliable bidder "as will best promote the public interest"; and

WHEREAS, the phrase "as will best promote the public interest" has been interpreted by the courts to encompass labor relations considerations; and

WHEREAS, the labor relations practices of a bidder, its supplier or subcontractor can affect the bidder's reliability, its ability to perform the contract in a timely manner, or to meet the requisite quality or other standards for the articles or services to be supplied; and

WHEREAS, the capability of vendors and contractors to comply with all State contract requirements is a matter of economic concern to the State of New York:

NOW, THEREFORE, I, Mario M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby direct all State agencies which are authorized by law to award State contracts to consider, when determining the responsibility of a bidder in accordance with any practice or procedure required by law or regulation governing the awarding of State contracts, the labor relations practices of the bidder and its known supplier or subcontractor, whenever it has come to the agency's attention that such practices could disqualify the bidder as a responsible and reliable bidder under the applicable statutory and administrative criteria. Each contracting agency shall notify the Commissioner of Labor of any bidder, supplier or subcontractor whose labor relations practices have been found by such agency to have so disqualified a bidder. The Commissioner of Labor shall maintain a file of such parties and shall make such information available at the request of any contracting agency. All State departments and agencies are directed to provide any additional information and assistance requested by a contracting agency as necessary to carry out the purposes of this Order.

Executive Order Number 70, dated March 1, 1978, is revoked and superseded by this Executive Order.



BY THE GOVERNOR

G I V E N under my hand and the Privy
Seal of the State in the City
of New York this twenty-fifth
day of February in the year
one thousand nine hundred
eighty-three.

SECRETARY TO THE GOVERNOR