

of Order # 42

The City Record Oct. 23, 1975

VOL C111 NO 31049

**OFFICE OF THE MAYOR**

**EXECUTIVE ORDER NO. 42**

OCTOBER 9, 1975

**APPROVAL OF CONTRACTS BY THE MAYOR**

Whereas, The City is facing a financial crisis of an extraordinary nature such that expenditures must be stringently controlled and in cases reduced in order to preserve the fiscal integrity of the City; and

Whereas, It is necessary to assure that such controls or reductions are effected in such a way that essential services for the people of the City of New York can be maintained; and  
Whereas, In order to achieve these purposes, it is necessary to establish procedures for controlling expenditures pursuant to proposed and existing City contracts or other commitments with the purpose of deferring or cancelling all such contracts or commitments that are not essential or which can be deferred without serious disruption or penalties to the City.

Now, therefore, by the power vested in me as Mayor of The City of New York, it is hereby ordered:

Section 1. (a) In addition to any other approval or procedure otherwise required for the expenditure of City funds, and except as provided in subsection (b) of this section, or as otherwise exempted by the Mayor, no administrator, agency head, or any other official of any City agency shall execute any contract or commit in any other manner the expenditure of funds for any purpose until an analysis and certification thereof, in the following form, has been submitted to the Mayor and the Mayor has approved such contract or commitment. Such analysis shall contain: (i) the aggregate amount of such contract and the dates and amounts of payments; (ii) the source of funding and, in the case of expenditures funded in whole or in part from sources other than the City, the status of such funding sources and the conditions, if any, of such funding sources; (iii) a statement of the purpose of such contract and its relationship to projects or programs of the City, with particular detail to any adverse consequences that would result from deferring such contract, including penalties or damages, if any; (iv) any other information that the Mayor or his designee may from time to time request.

(b) Contracts or commitments shall be exempt from the requirements of subsection (a) of this section if (i) in the case of contracts or commitments for less than \$100,000, the administrator, agency head or other official of any City agency responsible therefor, certifies that expenditures pursuant to such contract or commitment are necessary for the health or safety of the people of the City of New York, or (ii) in the case of contracts or commitments for less than \$10,000, the administrator, agency head or other official of any City agency certifies that the expenditure provided for is necessary to the proper performance of the functions of such administration, department or agency of the City.

§ 2. Every administrator, agency head or other official of any City agency shall immediately review each existing contract or other commitment controlled by or affecting his administration, agency or department which provides for an expenditure of \$100,000 or more. Upon completion of such review, but in no case later than 30 days after the date of this order, each such administrator, agency head and other official of any City agency shall certify to the Mayor that such review has been completed and shall submit to the Mayor a list of those contracts or commitments which would be legally and financially practicable to defer or cancel without impairing the health or safety of the people of the City of New York, together with the same data as is required for contracts or commitments specified in Section 1 (a).

§ 3. This order shall take effect immediately.

ABRAHAM D. BEAME, Mayor