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OFFICE OF THE MAYOR

EXECUTIVE ORDER NO. 84

MAY 26, 1977

AMENDMENT TO EXECUTIVE ORDER NO. 2 (2d) DATED JANUARY 21, 1970 IN RELATION TO THE AWARDING OF CONTRACTS UNDER THE EMERGENCY REPAIR PROGRAM UNDER PUBLIC EMERGENCY CONDITIONS AND IN SPECIAL CASES

Whereas, On January 21, 1970, Executive Order No. 2 (2d) was issued by the Mayor concerning the awarding of contracts under public emergency conditions and in special cases; and

Whereas, The Emergency Repair Program administered by the Department of Rent and Housing Maintenance must respond to emergency situations in residential dwellings caused by the lack of heat, hot or cold running water, electricity, effective sewerage disposal facilities, the extensive accumulation of rubbish, as well as other conditions dangerous to life, health or safety of the tenants in such buildings and other persons in or near such buildings; and

Whereas, Unless these dangerous conditions are corrected immediately, the occupants of these buildings and other persons within the vicinity of such buildings are subject to serious risk and hazards which directly affect their health and well being; and

Whereas, In order to accomplish expeditiously the correction of these dangerous conditions it is necessary and desirable to include special provisions for the immediate furnishing of services to correct such conditions; and

Whereas, Executive Order 73 of 1973, dated January 15, 1973, established procedures for the letting of such contract without a declaration of emergency being made if the expenditure was less than \$2,500, and it is desirable to continue such procedures, but not to require such declaration be made if the expenditure is less than \$5,000, which is consistent with the recent amendment to the Charter of The City of New York.

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

Section 1. Subsection (e) of Section 1 of Executive Order No. 2 (2d) dated January 21, 1970, and amended by Executive Order No. 59 dated May 24, 1972, is hereby amended by amending subsection (e) of section 1 thereof, such subsection having been added by Executive Order No. 73 of January 15, 1973, to read as follows:

"(e) Special Provisions for the Emergency Repair Program of the Department of Rent and Housing Maintenance.

With respect to the emergency repair program administered by the Department of Rent and Housing Maintenance which provides for the immediate performance of services to correct conditions which are deemed an emergency because they are dangerous to human life and safety, or detrimental to health, the Housing and Development Administration or any successor agency shall adopt a plan for the letting of Emergency Repair Program contracts to contractors appearing on a list of approved contractors. The plan and any amendment thereto, shall provide for but shall not be limited to the following:

1. A brief description of the nature of the problem, including the reason why it must be dealt with as an emergency, and a statement that departmental forces are inadequate to handle the situation; and
2. The solicitation by the Department of proposals from contractors for the furnishing of required services on a time and materials basis; and
3. The review of such proposals by the Department which shall then submit a list of recommended contractors to the Comptroller for approval and upon his approval establish a List of Approved Contractors; and
4. The awarding of contracts each involving an expenditure of not more than \$5,000 in specific emergency situations where a dangerous condition exists which requires immediate correction, in a manner set forth in the plan, to contractors whose names appear on the List of Approved Contractors.

Contracts may be awarded pursuant to the plan and the provisions of subsections (b), (c) and (d) of this section shall not apply to such contracts. Any contracts awarded

involving an expenditure in excess of \$5,000 shall be subject to the provisions of subsections (b), (c) and (d) of this section. Amendments to such plan shall be consistent with this subsection and shall be approved by the Housing and Development Administration or any successor agency and the Corporation Counsel."

§ 2. This Executive Order shall take effect immediately.

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ABRAHAM D. BEAME, Mayor.