

Legislation

BOL Meeting Minutes - Published Draft



Committee Chair: Colin Smith

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
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Monday, March 17, 2025

1:00 PM

Committee Room

Joint with LMC and PWT

CALL TO ORDER

With a quorum present, Chair Smith called the meeting to order at 1:10 p.m.

Others in Attendance: BOL: Legislators: Erika Pierce, Shanae Williams, and Jewel Williams Johnson; Committee Coordinators: Jill Axelrod and Dayana Gomez; Marcello Figueoroa, and Santiago Caceres; Law Dept: John Nonna and Shawna MacLeod; Guest: Stephanie Perez

Present: Legislator Smith, Legislator Nolan, Legislator Woodson-Samuels, Legislator Imamura and Legislator Gashi

Absent: Legislator Boykin, Legislator Tubiolo and Legislator Cunzio

Remote: Legislator Ulaj

MINUTES APPROVAL

Monday, March 10th at 1:00 p.m.

I. ITEMS FOR DISCUSSION

1. [2025-108](#) **PH - Responsible Bidder Legislation**

Joint with Public Works & Transportation committee.

Guest: Law Dept.: County Attorney John Nonna and Associate County Attorney Shawna MacLeod

Mr. Nonna explained that this law establishes uniform guidelines for determining bidder responsibility. The law provides that the bidder must submit a questionnaire with its bid providing information regarding the bidder's financial ability, legal capacity, integrity, past performance on government contracts, and compliance with applicable laws and regulations. The Department of Public Works (DPW) must review the bids and determine if the bidder is a responsible bidder based on their responses. If DPW determines that a bidder is not responsible, they will issue a provisional determination to the County's Board of Acquisition & Contracts (A & C). The bidder can file an internal appeal with A & C to contest DPW's determination that the bidder is not responsible. Once A & C makes a final determination, the bidder may file an Article 78 proceeding in court.

Mr. Nonna noted that the winning bidder has an ongoing obligation to make disclosures that

will reflect whether they are responsible throughout the term of the contract. He also said that the law requires a permissive referendum because it changes bidding procedures.

Legislator Pierce asked why the definition of “principal” in Sec. 233.521 (4) differed from the language used in subsections 1 and 3 defining “bidder” and “contractor.” Ms. MacLeod said the language she used in subsection 4 came directly from the Contractor Disclosure Statement that the County sends to bidders. She said she will change the definition in subsection 4 to match subsections 1 and 3, but then the Contractor Disclosure Form must be changed to match the language used in this legislation.

Legislator Imamura expressed concern about the language of Sec. 233.531(4)(c) and (d). He said that if a bidder has filed an Article 78 proceeding to appeal a final determination of a violation by the State Department of Labor, the County would be put in a position of having to adjudicate something that is pending before a judicial tribunal to determine if the bidder is responsible. Ms. MacLeod said she will change the language in both section (c) and (d) to read “Bidder has committed or found guilty of a willful violation.”

This RESOLUTION - Public Hearing was continued

2. [2025-109](#) **LL - Responsible Bidder Legislation**

Joint with Public Works & Transportation committee.

Guest: Law Dept.: County Attorney John Nonna and Associate County Attorney Shawna MacLeod

See discussion of Item # 1 above.

This LOCAL LAW - Amendment to Local Law was continued

3. Discussion on the Independent Office of Assigned Counsel 2024 Annual Report with Stephanie Perez, Acting Administrator.

Joint with Legislation committee

Ms. Perez discussed the report.

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

The meeting was adjourned at 3:39 p.m.