

NEW YORK CITY ORGANIZATIONAL STRUCTURE

CHAPTER 10

THERE ARE TWO TYPES OF CITY AGENCIES

New York City has two types of agencies. They are:

1. The Mayoral Agencies

Mayoral agencies operate under the jurisdiction of the Mayor's Office. Purchases made by Mayoral agencies and offices of the independently elected officials are subject to the New York City Procurement Policy Board (PPB) Rules. All these procurements are governed by the revised City Charter. Purchases made by Mayoral agencies, but not those of independently elected officials, may be subject to oversight by the Mayor's Office of Contracts.

2. The Independent (Non-Mayoral) Agencies

Purchases made by independent agencies and their departments are not directly regulated by the City of New York or the PPB. These agencies have boards of directors, or other governing bodies, which authorize and regulate what, how, and from whom, they purchase. They may draw on supplies purchased by DCAS. Their procurements are not affected by the City Charter or PPB Rules.

Some Examples of Mayoral and Independent Agencies

Mayoral Agencies

Department of Citywide Administrative Services
Housing Preservation and Development
Human Resources Administration
Department of Sanitation
Parks and Recreation
Police Department

Independent Agencies

Health and Hospitals Corporation
Housing Authority
Transit Authority
Board of Education
City University of N.Y.
Port Authority of N.Y./NJ

Primary Entities Involved In The New York City Procurement Process

The following entities are involved in the New York City procurement process:

1) **Mayor:**

The Mayor has express responsibility for procurement decisions. Much of this authority has been delegated to the City Chief Procurement Officer who also serves as Director of the Mayor's Office of Contracts.

2) **Comptroller:**

The Comptroller is an independently elected public official with the authority and responsibility under Chapter five of the New York City Charter to audit and investigate all matters relating to, or affecting the finances of the City including agency compliance with applicable rules and procedures for procuring goods,

services, construction and construction-related services, the performance of contracts, the receipt and expenditure of City funds and to make recommendations and comments in regard to the operations, fiscal policies and financial transactions of the City. Additionally, no contract can be effective unless registered by the Comptroller.

3) **City Council:**

The City Council has been granted authority by the New York City Charter to jointly set, with the Procurement Policy Board, the dollar thresholds requiring formal competitive procedures.

4) **Procurement Policy Board:**

The PPB is a permanent agency of the City of New York whose function is to establish comprehensive and consistent procurement policies and rules having broad application throughout the City. The PPB is precluded by the New York City Charter from exercising any authority over the administration of any contract or any disputes resulting therefrom.

5) **Mayor's Office of Contracts:**

This is the agency that is responsible for the oversight of City contracts. The Mayor's Office of Contracts, under the direction of the City Chief Procurement Officer, has been delegated mayoral authority to make or review particular procurement decisions granted to the Mayor under the New York City Charter.

6) **Department of Investigation:**

The Department of Investigation is authorized to make any study or investigation which, in the opinion of the Commissioner, may be in the best interests of the City, including but not limited to investigations of the affairs, functions, accounts, methods, personnel or efficiency of any agency. The jurisdiction of the Commissioner extends to any agency, officer or employee of the City, or any person or entity doing business with the City, or any person or entity who is paid or receives money from or through any agency of the City.

7) **Borough Presidents:**

Borough Presidents have the authority to monitor and make recommendations regarding the performance of contracts providing for the delivery of services in the borough and, when the borough president deems it appropriate, requires that hearings be held in the borough by a contract performance panel.

8) **Agency Heads:**

Agency heads have the authority to organize and supervise the procurement function and make agency decisions concerning the award and administration of contracts.

9) **Department of Citywide Administrative Services:**

The Department of Citywide Administrative Services is the central City agency responsible for the procurement of goods and other personal property, the disposition of surplus property, the acquisition of real property other than housing, and the provision of automotive, communication, energy and data processing services.

10) **Department of Design & Construction:**

DDC has consolidated the building construction program of the Department of General Services, the road construction program of the Department of Transportation and the sewer and water main construction program of the Department of Environmental Protection. Other construction functions will be consolidated into DDC in the future.

11) **Corporation Counsel:**

The Corporation Counsel is attorney and counsel for the City and has charge of and conducts all the law business of the City and its agencies in which the City is interested. The Corporation Counsel also has sole authority and responsibility to approve as to form and legal sufficiency, individually or by standard type or class, all contracts and contract amendments.

12) **Office of Administrative Trials and Hearings:**

OATH has authority and responsibility to conduct adjudicatory hearings in connection with certain disputes arising out of the agency conduct of the procurement function.

13) **Department of Business Services/Division of Economic and Financial Opportunity:**

DEFO has been granted authority by the New York City Charter to establish, administer, coordinate and enforce a citywide program for the identification, recruitment, certification, and participation of minority and women-owned business enterprises in the City's procurement process and to promulgate those rules necessary to implement the purpose for which it is established.

14) **Department of Business Services/Division of Labor Services:**

DLS has the authority and responsibility to enforce a Citywide program to ensure that City contractors and subcontractors take required actions to ensure that women and minority group members are afforded equal employment opportunity and that all persons are protected from discrimination pursuant to federal, state, local laws and executive orders with regard to recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, terminations, rates of pay and other forms of compensation.