

## COMPTROLLER'S REVIEW OF STATE CONTRACTS

State Comptroller Thomas P. DiNapoli is the chief financial officer of New York State charged with protecting the public's money from waste, fraud and abuse. As part of his responsibilities, the Comptroller reviews and approves contracts for State agencies as well as certain contracts for State authorities. In addition, some other State authority contracts are filed with the Comptroller. For State Fiscal Year 2011-12, the Office of the State Comptroller reviewed approximately 28,400 contract transactions valued at \$66.5 billion.

The Comptroller's independent oversight makes sure that the contracting process is open and complies with the law, enabling taxpayers to get the best value for their money. The Comptroller also promotes a level playing field for all vendors competing for State business, disseminating information on [how to do business with the State](#).

### **Open Book New York Contract Search**

Comptroller DiNapoli believes New Yorkers should know where their tax dollars are going. *Open Book New York* provides the public with access to more than 45,000 active contracts that State agencies and State authorities have with businesses, not-for-profit organizations, and other governmental entities. Data is generally updated nightly to reflect newly approved contracts and contract amendments, as well as certain contracts that do not require approval by the Comptroller, including State authority contracts that are submitted for filing. State agencies, State authorities, and vendors who seek information on the status of their pending State contracts should enroll in the [VendRep System](#).

Certain public authority information is temporarily unavailable. [Click here](#) for more information.

### **Comptroller's State Contract Review Process**

Under Section 112 of the State Finance Law, the Comptroller's Bureau of Contracts reviews and approves most contracts for State agencies that meet the applicable threshold for review, generally \$50,000. If a contract is below the applicable threshold, a State agency does not need the Comptroller's preapproval, but it must follow a reasonable process in awarding the contract to ensure that it gets the best price possible.

Under the Public Authorities Reform Act of 2009, the Comptroller is authorized, at his discretion, to review and approve certain State authority contracts valued at greater than \$1 million. The Act excludes specific contract types from review and approval, but requires those contracts to be filed with the Comptroller's Office. By regulation, the Comptroller also requires that certain other State authority contracts that are not designated for prior approval be filed with the Comptroller's Office.

The Comptroller's contract review process adheres to rigorous standards and legal requirements. The Bureau of Contracts staff has a wide range of expertise and examines contracts for construction projects, grants, consultants, commodities, concessions, professional services, intergovernmental agreements, leases, and land purchases and sales. As part of its examination, the staff ensures that:

- The method used to select the contractor complies with applicable statutory, regulatory and policy requirements;
- The selection of the contractor was performed in a fair manner;
- The cost is reasonable;
- The contract is sufficiently funded;
- The contract language is reasonable;
- Any errors or unreasonable transactions are corrected before a financial obligation is incurred or an expenditure made;
- The agency has performed due diligence to ensure that the vendor is responsible, has the legal authority to do business in New York, has provided reasonable service in the past and satisfies other requirements.

The Office of the State Comptroller is also responsible for auditing all bills, including payments for contracts, for the State prior to payment. In total, nearly 152,000 State payments are made daily. For State Fiscal Year 2011-12, more than 38 million payments totaling \$111 billion were made. Through this payment audit process, the Office of the State Comptroller stopped or recovered hundreds of millions of dollars in improper payments and fraudulent transactions.