



## **Statement on Restoration of Comptroller's Pre-Audit Authority**

### **A Clear Step Forward: Increases Public Accountability, Reduces Corruption Risk**

Credit to Governor Cuomo and Comptroller DiNapoli  
for Reaching Agreement

Ideally Voluntary Agreement Becomes Law Next Session

We appreciate Governor Cuomo and Comptroller DiNapoli finalizing this agreement to restore the Comptroller's "pre-audit" review of SUNY, CUNY, their Construction Funds, SUNY RF and its affiliates, and OGS centralized contracts. The agreement is a clear step forward and increases public accountability while reducing the risk of corruption.

We hope momentum from completing this voluntary agreement continues and the Governor and Comptroller work together to pass a law in the 2020 session making the agreement permanent.

Reinvent Albany has long advocated for restoring the Comptroller's pre-audit authority which was unwisely removed in 2011. Comptroller review may have prevented the \$1 billion bid-rigging scandal involving upstate development projects resulting in the convictions of high-ranking state officials and major real estate and construction executives.

[Reinvent Albany and fiscal and government watchdog groups issued a 5-point plan in 2016 to restore the public trust in the state's contracting](#), including enabling the Comptroller to review contracts of \$250 million or more, which was part of the MOU agreement today. [Reinvent Albany lobbied for this Clean Contracting platform during the last three legislative sessions, testifying before committee and budget hearings for the reforms](#), and mobilizing lawmakers' support for the Comptroller's program bill,

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S.3984-A (DeFrancisco)/A.6355 (Peoples-Stokes). [Our advocacy resulted in the proposals being included in different forms in legislative budget resolutions and the Governor's Executive Budget](#) in 2019, and passage of the Comptroller's bill in the State Senate in 2018.

Today's MOU includes the following:

- Office of the Comptroller (OSC) pre-audit review of SUNY, CUNY, and their Construction Funds contracts of \$250K or more related to construction, commodities, printing, computer equipment (hardware & software), and non-construction related services.
- OSC pre-audit review of OGS centralized contracts of \$85,000 or more including purchases, purchase orders and procurement transactions. OGS centralized contracts include many technology contracts.
- SUNY will coordinate with SUNY Research Foundation to grant the OSC pre-audit review of contracts of \$1 million or more involving its non-profit affiliates Ft. Schuyler and Fuller Road Management Corporation by January 1, 2020.
- If SUNY or CUNY Boards do not approve the MOU, Governor Cuomo will introduce legislation next session codifying the MOU in law.
- The MOU will not apply to existing contracts except for significant amendments
- The OSC will have 30 days to conduct its pre-audit, except for certain energy commodity contracts for which OSC will have 48 hours. The 30-day clock will begin with receipt of all related procurement record documents agreed upon by parties to the MOU, and after other entities like the Attorney General and Inspector General have conducted any needed reviews.
- The IG will receive executed contracts of \$250K or more, excluding Common Retirement Fund contracts.