



THE CITY OF NEW YORK  
OFFICE OF THE COMPTROLLER  
SCOTT M. STRINGER

March 3, 2021

Honorable Bill de Blasio  
Mayor  
City of New York  
City Hall  
New York, NY 10007

Dear Mayor de Blasio:

I am writing today to urge you to finally rescind Emergency Executive Order (“E.E.O.”) 101, Section 2, which has suspended laws and regulations related to procurement in New York City since March 17, 2020. On August 25, 2020, and again on October 21, 2020, I wrote to you to express my concern that the City was circumventing the Office of the Comptroller’s mandated oversight role of approving and registering contracts pursuant to the New York City Charter (“Charter”) and Procurement Policy Board Rules.

This weekend you stated that “[t]he State legislature must immediately revoke the Governor’s emergency powers that overrule local control.” I could not agree with you more. I was heartened to see you taking a hard stance on the overreach of executive power and believe that it is long past time to apply this same principle to your own administration by rescinding E.E.O. 101, Section 2.

As of February 25, 2021, your administration has entered into 1,238 contracts under E.E.O. 101, Section 2 totaling \$5,208,375,548, with \$2,740,116,428 spent to date. It is shocking that over five billion dollars of City funds have already been committed without the Charter-mandated oversight of this office. Furthermore, this office has been made aware of (i) vendor integrity issues; (ii) partial or complete non-performance; and (iii) the overextending, overpaying and over-purchasing in emergency contracting that has resulted in millions of taxpayer dollars being lost.

I did not agree with your decision to invoke E.E.O. 101, Section 2, but I understood the need to act swiftly to procure necessary life-saving goods and services in the earliest days of the pandemic. However, as we approach the one-year mark of the suspension of the checks and balances that govern our City’s emergency procurement process, the Executive can no longer use the pandemic as a shield to circumvent the independent oversight enshrined in long-standing statutes and rules.

I therefore urge you to heed your own call and rescind E.E.O. 101, Section 2 without further delay. To do otherwise would not only be hypocritical, but would continue to deprive taxpayers of the fiscal oversight guaranteed to them by the New York City Charter.

Thank you for your immediate attention to this critical matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott M. Stringer". The signature is fluid and cursive, with the first name "Scott" being more prominent.

Scott M. Stringer  
New York City Comptroller