

## Terms of Reference

### **Research/Consultancy on Open Contracting in New York City**

#### **Summary**

The [Open Contracting Partnership](#) (OCP) is a silo-busting global non-profit linking governments, businesses, civil society and technologists. We help to open up government contracting and deal-making through disclosure, data and engagement so that the huge sums of money involved are spent honestly, fairly and effectively. Based in Washington DC, we work to transform public procurement in cities, countries and sectors around the world to make it smarter and fairer.

Together with the [GovLab](#) we see a time-sensitive opportunity to advance open contracting in New York City (NYC) which would have strong demonstration effect for cities in US and globally. We are seeking a superb researcher or consultant who can help us and the GovLab to prepare an in-depth scoping note that will provide insights and practical guidance on entry points and implementation options and priorities for open contracting in NYC. The project will involve consultations with key players, desk research about current procurement practices and systems used in NYC and developing good practice guidance.

The current timeline for this project is very tight with a closing date of the end of September. However, we might be able to extend this project to later in the Fall depending on consultant's availability.

#### **Background**

Cities spend billions of dollars every year on goods and services that residents care about. City procurement is also a huge market for companies. Yet sometimes it can be difficult, even for city officials themselves, to know what is being procured, who is being paid, and how much is being spent.

NYC already has very transparent fiscal data. In July of 2010, the New York City Comptroller's Office launched Checkbook NYC, an online transparency tool that for the first time placed the City's day-to-day spending in the public domain. In 2015 Checkbook NYC introduced "Featured Dashboards" in Checkbook which provides access to subcontractor and Minority or Women Business Enterprise (M/WBE) spending and contract information.

More recently NYC launched the Procurement and Sourcing Solutions Portal (PASSPort), a new online portal, aimed to make procurement easier for both government agencies and vendors. The goal is that in 2018 PASSPort will allow to track progress through procurement lifecycle.

There are also policy opportunities, such as the attempts by City Council Member Ben Kallos, to establish a [centralized procurement data base](#).

The OCP and the GovLab are keen to explore how NYC can build on these recent innovations to obtain even more benefits from its contracting practices and policies. We believe that there might be opportunities to enhance bidder diversity, tracking trends in women/minority owned business contracts or enhancing contracting in specific sectors such as construction or education.

## **Objectives**

The objective of this assignment is to develop potential implementation strategies for open contracting in NYC based on stakeholder consultations and research. The assignment will seek to answer the following questions, among others to be defined:

- Would publishing information according to the Open Contracting Data Standard add value to information currently published?
- Is there a strong use case for collecting & publishing more information than currently contained within Checkbook NYC and the planned PASSPort project (eg additional fields or documents)?
- Is there a strong use case for using the OCDS to link Checkbook NYC & PASSPort information, and to publish as open data?
- How can stakeholders in NYC make better use of the information about the planning, procurement & implementation of public contracts to improve outcomes (eg competition, value for money, integrity etc)?
- What model legislative language could be used to action recommended improvements?

## **Activities**

The assignment will include:

- Consultation with key players, especially [PASSport](#), [Checkbook NYC](#), the [Mayor's Office of Contract Services](#) (MOCS), relevant council members and non-government actors, such as local business associations or community groups;
- Research about current policies/laws, practices and systems/platforms used in NYC along the entire procurement cycle, from planning through implementation;
- Quick review of good legal practices that could inspire and inform NYC's open contracting policies and practices;

- Development of a scoping note that outlines the current status, engagement opportunities and potential implementation strategies and priorities for open contracting in NYC. Strategies should be based on user need and priorities, for example to increase bidder diversity, and might also include specific sectors, such as construction or education.

## Deliverable

The key deliverable will be an in-depth scoping note (no more than 10 pages) that describes current policies, practices and systems, as well as user needs from government agencies, business and citizens. This should also highlight good or innovative practices from other cities, including legislation, and potential implementation strategies and priorities for NYC.

There is the potential that this could develop into a longer term consultancy/project where the consultant/researcher would also provide advocacy support and implementation advice.

## Tentative Timeline

Deliverables & Activities	Timeline	
	<i>Ideal timeline but can be pushed if needed</i>	
Work plan, including interview list of key stakeholders	September 5, 2017	
Research	Throughout project	OCP can provide detailed guidance and information on open contracting, OCDS, etc
Engagement with key stakeholders	Throughout project	GovLab & OCP can make introductions to actors and join meetings as needed
Outline of scoping note for feedback	September 8, 2017	GovLab & OCP will provide feedback
Draft scoping note for feedback	September 15, 2017	GovLab & OCP will provide feedback
Final scoping note	September 22, 2017	
Blog summarizing the assignment & scoping note	September 29, 2017	

If appropriate and relevant, OCP and GovLab can also help to convene workshops or meetings to reach out to multiple stakeholders and/or to present findings of the project. This will be explored over the course of the project.

Depending on progress, performance, and needs, this assignment might extend beyond September. This will be explored over the course of the project.

OCP is able to come to NYC in early September and when needed to spend time with the researcher for meetings, research, etc.

### **Compensation**

Daily rate will be determined based on qualifications and experience.

### **Application**

To apply, please send a short note to Carey Kluttz at the OCP ([ckluttz@open-contracting.org](mailto:ckluttz@open-contracting.org)) why you are interested in this opportunity and what your experience is with procurement, open data, legislative research. Please also propose a daily rate.