

ETHICS AT A GLANCE

Contracting with the State - Do you have an outside business and want to sell its goods or services to a state agency?

What a state employee can and cannot do



Overview

Public Officers Law (POL) § 73(4)(a)(i) **permits a state officer** (generally meaning a statewide elected official, agency head, or employee) **or a company owned or controlled by a state officer** to sell goods or services to a state agency only when pursuant to an award or contract issued after public notice and competitive bidding.

You should also take note of the following restrictions:

- POL § 73(4) prohibits a state officer from seeking a **no-bid contract** with any state agency.
- A state officer **may not be compensated** in any way for supporting the bid on the contract.
- The **spouse of a state officer** may bid on a contract with the officer's agency only when the contract is awarded after public notice and competitive bidding, and the state officer has no involvement in awarding the contract or developing the bid criteria.

[More information on contracting with New York State is available on COELIG's website.](#)

Questions?

Contact us by calling 1-800-87-ETHICS (3-8442) or by e-mail at GUIDANCE@ETHICS.NY.GOV.

All guidance communications with COELIG are confidential.

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