



State of New York

Executive Chamber

No. 11

EXECUTIVE ORDER

Declaring a Disaster Emergency in the State of New York

WHEREAS, the COVID-19 global pandemic has been declared a Public Health Emergency of International Concern by the World Health Organization since early 2020;

WHEREAS, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19 on January 31, 2020;

WHEREAS, New York is now experiencing COVID-19 transmission at rates the State has not seen since April 2020;

WHEREAS, the rate of new COVID-19 hospital admissions has been increasing over the past month to over 300 new admissions a day;

WHEREAS, the state must pursue a coordinated approach to ensure hospital capacity statewide is able to meet regional needs;

WHEREAS, the State government must support the municipalities and counties in their efforts to facilitate and administer vaccinations and tests for COVID-19, and to prevent the virus from continuing to spread at such rates;

NOW, THEREFORE, I, Kathy Hochul, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, hereby find, pursuant to Section 28 of Article 2-B of the Executive Law, that a disaster has occurred in New York State, for which the affected local governments are unable to respond adequately, and I do hereby declare a State disaster emergency for the entire State of New York through January 15, 2022; and

IN ADDITION; this declaration satisfies the requirements of Part 360 of the New York State Codes, Rules and Regulations to allow the state to utilize the Surge and Flex system, which may include, but is not limited to, postponement of non-essential elective procedures.

FURTHER, pursuant to Section 29 of Article 2-B of the Executive Law, I direct the implementation of the State Comprehensive Emergency Management Plan and authorize all necessary State agencies to take appropriate action to assist local governments and individuals in containing, preparing for, responding to and recovering from this state disaster emergency, to protect state and local property, and to provide such other assistance as is necessary to protect public health, welfare, and safety.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through December 26, 2021 the following:

- Section 112 of the State Finance Law to the extent necessary to add additional work, sites, funding, and time to State contracts or to award contracts, including but not limited to contracts or leases for relocation and support of State operations under Section 3 of the Public Buildings Law; or contracts under Section 9 of the Public Buildings Law; or contracts for professional services under Section 136-a of the State Finance Law; or contracts for purchases of commodities, services, and technology through any federal GSA schedules, federal 1122 programs, or other state, regional, local, multi-jurisdictional, or cooperative contract vehicles;
- Section 163 of the State Finance Law and Article 4-C of the Economic Development Law, to the extent necessary to allow the purchase of necessary commodities, services, technology, and materials without following the standard notice and procurement processes;
- Section 97-G of the State Finance Law, to the extent necessary to purchase food, supplies, services, and equipment or furnish or provide various centralized services to assist affected local governments, individuals, and other non-State entities in responding to and recovering from the disaster emergency.



G I V E N under my hand and the Privy Seal of the
State in the City of Albany this
twenty-sixth day of November in the
year two thousand twenty-one

BY THE GOVERNOR

A handwritten signature in black ink, appearing to be "W. P. K.", written over a horizontal line.

Secretary to the Governor

A handwritten signature in black ink, reading "Kathy Hochul".