



Construction NEWS



Mount Vernon Mayor Shawn Patterson-Howard and Westchester County Executive George Latimer led the groundbreaking ceremony for the nearly \$25-million project to redevelop the storied Memorial Field in Mount Vernon, NY. See story page 3.

\$2B Power Line Clears Key Hurdle

By JOHN JORDAN

ALBANY—A proposed more than \$2-billion underground transmission line from the New York Canadian border to Queens, NY has recently cleared a number of key hurdles to facilitate the start of construction next year.

With the closure of the Indian Point 2 nuclear reactor in April and the impending closure of the Indian Point 3 reactor in 2021, the addition of the 1,000-megawatt Champlain Hudson Power Express transmission line is seen by a number of political and business leaders as critical to servicing the state's energy needs going forward.

On Aug. 13, the New York State Public Service Commission granted the request by Transmission Developers Inc., a Blackstone portfolio company, to amend the certificate granted to Champlain Hudson Power Express, Inc. and approve a number of route changes for

the transmission line that will extend approximately 330 miles from the New York/Canada border to a converter station in Astoria, Queens.

The transmission line, estimated by the developer to cost \$2 billion, would be built underwater and underground along the entire length of the route, avoiding or minimizing visual and other potential environmental impacts.

“With this decision, we will allow the developer to make minor changes to the certificate to construct and operate a transmission project known as the Champlain Hudson Power Express Project,” said PSC Chair John B. Rhodes. “The transmission of renewable energy will enable the success of the state and New York City legislative programs aimed at curbing greenhouse gases, including the nation-leading Climate Leadership and Community Protection Act.”

Please turn to page 4

Halmar Team Wins County's Bundled Bridge Projects

By JOHN JORDAN

ALBANY—A team led by Halmar International LLC of Nanuet, NY will begin work this fall on a New York State Department of Transportation bundled project valued at more than \$115 million that involves the replacement of four bridges, the renovation of another span and the conversion of a large culvert into a small bridge in Westchester County.

The Halmar team was designated on May 14 as the best value selection with a bid of \$115,252,242.86. Halmar bested three other proposers for the Design-Build project. Other members of the Halmar best value selection team include: M.G. McLaren Engineering and Land Surveying, P.C. of Woodcliff Lake, NJ; Schnabel Engineering of New York of

Clifton Park, NY, and Shumaker Consulting Engineering and Land Surveying, D.P.C. of Binghamton, NY.

Gov. Andrew Cuomo announced on July 24 that the project would begin this summer with field preparation, surveying and utility work. Project construction is anticipated to begin in the fall with all work scheduled for completion in the fall of 2022. The project, which includes drainage improvements and the reconstruction of roadways prone to flooding is aimed at enhancing safety and improving the region's resiliency during storm events.

This project is designed to ease travel and enhance safety in one of the Hudson's Valley's busiest corridors, while addressing the chronic flooding that has tormented drivers in



A bridge over the Hutchinson River Parkway on East Lincoln Avenue in Mount Vernon slated for replacement.

the area for decades, the governor noted.

New York State Department of Transportation Commissioner Marie Therese Dominguez said of the project, "Replacing and updating these bridges in Westchester County will help reduce highway flooding and the congestion and inconvenience it causes, easing travel, ensuring reliability and improving the quality of life for decades to come."

The NYSDOT bundled Design-Build project calls for the replacement of two bridges and a large culvert at East Lincoln Avenue over the Hutchinson River Parkway and Hutchinson River between Pelham, NY, and Mount Vernon, NY, as well as two bridges on the Saw Mill River Parkway over the Saw Mill River in Pleasantville. A

bridge on U.S. Route 1 over the Mamaroneck River in Mamaroneck, NY, will be upgraded as part of the overall project.

Westchester County Executive George Latimer noted these bridges over the Hutchinson River Parkway and Saw Mill River Parkway are badly in need of repairs. "This funding, along with the bridge renovations that will follow, will be a major benefit to our local communities as well as to the thousands of commuters who travel them," he said.

The project also will reconstruct bridge approaches and nearby highway intersections, enhance pedestrian safety by upgrading sidewalks, curb ramps, crosswalks and pedestrian signals to meet Americans with Disabilities Act standards, modernize traffic signal opera-

tions with new coordinated and interconnected signals and install new barriers and bridge railings.

During the construction of the East Lincoln Avenue bridge, traffic will be maintained on a temporary bridge to be installed this summer. To withstand 50-year storm events,

Please turn to page 21

Inside

Albany Update.....	10 & 16
Financial Management ...	12
New York City Update	14
Economic Outlook	15
Safety Watch	17
People	21
Low Bids.....	22

ROCKSTAR★RESPONSE

Our experienced and reliable consultants will respond to your bid, project or material inquiries in less than 24 hours



ROCKSTAR SPEED RESPONSE

ASPHALT + AGGREGATE

- NYSDOT
- POROUS MIXES
- STONE FILLINGS
- CRUSHED STONE
- HIGH FRICTION
- CUSTOM BLEND



Thalle Industries'
ROCKSTAR SERVICE
keeps your project moving™

★ John Amato - Fishkill
914 490-7328
172 Route 9 · Fishkill, NY
jamato@thalleindustries.com

★ Joe Perrone - Elmsford
919 201-1111
50 S. Warehouse Ln · Elmsford, NY
jperrone@thalleindustries.com

A&J CIANCIULLI **ALERT**

NEW OSHA 1926-1427(F) OPERATOR QUALIFICATION REQUIRED BY EMPLOYER

WHAT YOU NEED TO KNOW

OSHA regulation 1926.1427(f) – Evaluation.
The section states that employers must, through an evaluation process, ensure operators are qualified to operate the machine to which they are assigned.

It must be determined in the evaluation process that the operator –

1. Has the skills and knowledge, as well as the ability to recognize and avert risk, necessary to operate the aforementioned equipment safely, including those specific to the safety devices, operational aids, software, and the size and configuration of equipment.
2. Has the ability to perform the hoisting activities required for assigned work including blind lifts, personnel hoisting, and multi-crane lifts.
3. Understands and can apply the equipment's load charts as well as the manufacturer's procedures.

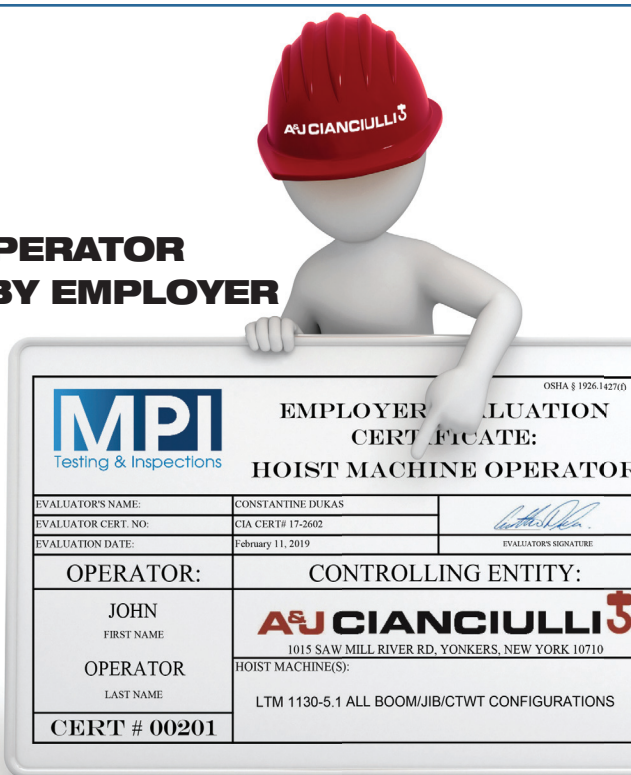
WHERE YOU TURN

Cianciulli Manned Crane Rentals include all operators who have gone through our evaluation process, ensuring all operators are qualified to operate the machine to which they are assigned. By hiring Cianciulli you are lowering your liability and creating peace of mind, knowing the operator on your job is properly qualified as per OSHA.

A&J CIANCIULLI IS APPROVED AND REGISTERED IN THE FOLLOWING CERTIFICATIONS:



- o NYC PASSPort Registered
- o NYC DOB Crane Notice Permits



WHAT HAS CHANGED

All operators need employer evaluation certification specific to the equipment being used.

A&J CIANCIULLI 
MANNED CRANE RENTAL SERVICE

THE EXPERIENCE YOU KNOW... A&J CIANCIULLI MID-HUDSON VALLEY'S CRANE RENTAL COMPANY

EQUIPMENT RENTAL

- Boom Truck Rentals
- All Terrain Crane Rentals
- Rough Terrain Crane Rentals
- Manned Crane Rental Service

HOISTING & HAULING

- Industrial Rigging
- Oversized Transport
- Estimating

TRANSPORTATION & LOGISTICS

- Over the Road
- Local Delivery
- Warehousing



A&J Cianciulli | cianciulli.com | 718.456.1800

Equipment Rental
1015 Saw Mill River Rd, Yonkers, NY 10710
914.965.0440

Hoisting & Hauling and Transportation & Logistics
2 Galasso Place, Maspeth, NY 11378
718.456.1800

Long-Delayed \$25M Memorial Field Redevelopment Job Breaks Ground

By **JOHN JORDAN**

MOUNT VERNON, NY—A controversial project that has spanned the administrations of four Westchester County Executives and five Mount Vernon Mayors has finally broken ground.

At a press conference on Aug. 5 with City of Mount Vernon officials, Westchester County Executive George Latimer announced that the redevelopment of the storied Memorial Field in Mount Vernon is finally moving forward after years of delay. Mr. Latimer noted at the onset of the press conference that the redevelopment of Memorial Field was initiated by former Westchester County Executive Andrew Spano and Mount Vernon Mayor Clinton Young more than 12 years ago in 2008.

The Memorial Field groundbreaking ceremony included ceremonial shovels, classic bottles of Coca-Cola—a throw-back to the iconic “Mean Joe Greene” commercial filmed at the stadium in 1979—and a ceremonial first football toss.

The \$24.9-million Memorial Field Complex Reconstruction project will build a new, lighted multi-sport and events venue that includes a state-of-the-art synthetic turf multi-sport athletic field, an all-weather eight lane running track, renovated tennis courts and a skate park. Grandstands for 3,900 spectators including VIP seating and a press box will also house full locker room and training room facilities and will mimic the appearance of the original grandstands. Additional on-site amenities will include an entry plaza, ticket booths, a concession stand, restrooms, wrought iron fencing and landscaping.

“Here we are. This project means so much to this city and I am ecstatic that this day has finally come,” County Executive Latimer, who received his high school diploma at Memorial Field, said. “My administration has made it a priority to invest in the parks and recreation spaces available to residents—all over the county—and this is another major step in that direction. This is truly government at its finest, working for the people whom we serve. I commend my partners in government from the city, county legislature and state for their joint efforts toward progress—and I want to particularly single out (County Legislator) Lyndon Williams for his exceptional commitment to this project.”

Mount Vernon Mayor Shawyn Patterson-Howard said, “Since day one, I’ve remained dedicated to seeing Memorial Field to completion and that will happen under our leadership. The soul of Mount Vernon is connected to Memorial Field, as our crown jewel, its reconstruction is a positive step forward. The people of Mount

Vernon deserve it. Thank you to the County Board of Legislators, County Executive Latimer and his team for keeping this project as a priority. I am excited to run through the end zone with our local, county and state leaders.”

This Westchester County Department of Public Works project was advertised on June 19, 2020 and bids were received on July 15, 2020. The project was subsequently awarded to low bidder The LandTek Group of Amityville, NY, which bid \$24,883,600 for the project. Construction, which will be performed under a Project Labor Agreement with the building trades, is expected to begin this month and be completed in the fall of 2021.

LandTek Vice-President of PR/Marketing and former standout New York Jets de-

fensive lineman Marty Lyons said, “We are fully committed to restoring Memorial Field to what it used to be.”

In referencing the iconic Coke commercial with Pittsburgh Steelers defensive lineman “Mean” Joe Greene, Mr. Lyons added, “We are going to try to rebuild it and try to make it so that everyone here in Mount Vernon and everyone in Westchester County can enjoy this facility. A host of LandTek officials were on hand at the ceremony, including co-owners Mike Ryan and Ed Ryan.

Among the state and county officials on hand for the event, County Legislator Williams noted that he wrote a letter to newly elected County Executive Latimer in January 2018 requesting the county take charge of managing the revitalization



Mount Vernon Mayor Shawyn Patterson-Howard and Westchester County Executive George Latimer.



After 100 years, Operating Engineers Local 825 has grown through past economic crises, including the Great Depression. The COVID-19 pandemic has caused hardship to many but through hard work and expertise, we will grow through this too.

We look toward our partnerships with the state and federal governments to invest in infrastructure programs – including wind, solar and natural gas – to help get the remainder of our members and the rest of New Jersey back to work.

BETTER BUILDING BEGINS HERE.



GREG LALEEVE

IOOE VICE PRESIDENT AND BUSINESS MANAGER OF IOOE LOCAL 825

WWW.IOOE825.ORG

PERSPECTIVE

Governor Delays Vote on \$3 Billion ‘Restore Mother Nature’ Bond Act

ALBANY—Citing the devastating economic impacts of the coronavirus pandemic, Gov. Andrew Cuomo recently confirmed reports that he would postpone the vote this November on the \$3-billion “Restore Mother Nature” Bond Act.

The \$3-billion Restore Mother Nature Bond Act was proposed by the governor earlier this year and was authorized by the State Legislature as part of the 2020-2021 state budget. The act was meant to serve as a key source of funding for projects focused on reducing flood risk, investing in resilient infrastructure, restoring freshwater and tidal wetlands, preserving open space, conserving forest areas and reducing pollution from agricultural and storm water



Gov. Andrew Cuomo

runoff. It was also to fund up to \$700 million in projects to fight climate change, including green buildings. The act also aimed to spend 35% of the funds on projects to benefit underserved areas of the state. “We’re going to postpone the environmental bond issue for one year,” Cuomo said on

the July 30 conference call with reporters. “The financial situation now is unstable. It was my proposal, I believe deeply in it, but we need to have financial stability before we do that,” he added, according to published reports.

Business, environmental and building trades organizations throughout the state had come out in support of the \$3-billion initiative.

Ross J. Pepe, president of the Construction Industry Council of Westchester & Hudson Valley, Inc., said the trade association looked forward to working on the campaign to pass the referendum bond in November because it’s a public policy platform of pollution control and protecting the environment that the CIC has supported since it was founded in 1978.

“It’s core to our mission as an employer association in the contracting community and as a trusted partner with organized labor,” Mr. Pepe explained. “A strong environmental policy requires constant upkeep and improvements to our public infrastructure facilities. The investments that would have been made possible by the bond act would have accelerated the work that eventually must be done if we wish to live in a safe and clean environment.”

However, Mr. Pepe supports Gov. Cuomo’s decision to postpone the referendum

“Clean water, clean air and open space support public health. When we don’t provide them the people hurt most—those who live in environmental justice communities—are also those most impacted by respiratory illnesses like the coronavirus and extreme weather like the current heat wave. We believe the bond act would have been an incredible opportunity to invest in environmental projects while jumpstarting the economy by creating tens of thousands of family-supporting jobs. We clearly understand the State’s delicate financial position and will continue our call for Congress to fund our state, local governments and mass transit.”

—Julie Tighe, president of the New York League of Conservation Voters

Nature Bond Act would not move forward in 2020. Clearly not pleased with the governor’s decision, Julie Tighe, president of the New York League of Conservation Voters, called it “disappointing.” “Government can’t contin-

Act would have addressed time-sensitive challenges all New Yorkers face in connection with climate change, the need for safe drinking water and growing threats to biodiversity. The sooner the state starts the projects that would have been funded by the Restore Mother Nature Bond Act, the better prepared New York will be to meet difficult times ahead. The question is not, ‘can we afford to spend this money?’, it is ‘can we afford not to do so?’ We are counting on the governor and legislature to get this proposal back on the ballot next year.”

“We are very disappointed that the bond act has been withdrawn,” said Adirondack Council Deputy Director Rocci Aguirre. “We believe it would have helped to spur economic growth while it benefited the environment. The bond act could also have helped in ways that are not readily apparent, such as reduce local taxes by lifting the burden of new wastewater systems from the backs of local taxpayers.

He added that the council understands the act is discretionary spending at a time when the national economy is in disarray. “Without the prospect of new federal aid to states from Congress, we understand why the governor is reluctant to move forward with new borrowing at this time. We urge him to reconsider when the economic outlook brightens,” Mr. Aguirre said.

—JOHN JORDAN

“Building back better requires that we ensure our neighborhoods can withstand climate change impacts like heat and flooding, which are not letting up during the pandemic. We welcome the opportunity to revisit the Environmental Bond Act in the future. In addition, it is incumbent upon our state leaders to ensure other, existing sources of funding for these critical purposes are fully utilized and are not further reduced in the State Budget as the deficit is addressed.”

—Bill Ulfelder, executive director, The Nature Conservancy

until November 2021. “Given the crushing economic impact and circumstances that New York State now faces, it would be a challenge to add to the debt load. Once we see clear signs of recovery in sight, this should be a matter that returns to the top of the state’s priority list.”

Many environmental advocates were broadsided and unsettled that the Restore Mother

ue treating the environment as a luxury—it is a critical asset,” she said in a statement. “Clean water, clean air and open space support public health.”

Striking the same tone, Riverkeeper President Paul Galley said, “We are deeply disappointed with the Cuomo Administration’s decision to pull the Restore Mother Nature Bond Act from the November ballot. This Bond



Construction NEWS



Vol. 36 No. 8

AUGUST 2020

PUBLISHER
Ross J. Pepe

ASSOCIATE PUBLISHER
John T. Cooney, Jr.

EXECUTIVE EDITOR
George Drapeau III

MANAGING EDITOR
John Jordan

ASSOCIATE EDITOR
Sheila Smith Drapeau

ADVERTISING MANAGER
Peter Fiore

BUSINESS/OFFICE MANAGER
Karen Zedda

ADVERTISING SALES OFFICE
629 Old White Plains Road
Tarrytown, NY 10591
(914) 631-6070

TYPOGRAPHY/DESIGN/PRINTING
Westmore News, Inc.

**Construction Industry Council
of Westchester & Hudson Valley, Inc.**
Chairman: George Pacchiana
President: Ross J. Pepe

CONSTRUCTION NEWS is the official publication of the Construction Industry Council of Westchester & Hudson Valley, Inc., 629 Old White Plains Road, Tarrytown, NY 10591. Opinions contained in the articles herein do not necessarily reflect the opinions of the Council.

Subscriptions: \$12 a year included in membership dues; \$22 for two years; \$1.50 for a single copy; bulk rates on request, \$12 per year for non-members. CONSTRUCTION NEWS cannot be responsible for unsolicited manuscripts, nor can it undertake to return manuscripts or pictures unless accompanied by self-addressed, stamped envelopes. All rights reserved.

Please make checks out to the Construction Industry Council.

Advertising rates: Available upon request.

Please send address changes to the Construction Industry Council of Westchester & Hudson Valley, Inc., 629 Old White Plains Road, Tarrytown, NY 10591.

BUSINESS & EDITORIAL OFFICE
Construction Industry Council
of Westchester & Hudson Valley, Inc.
629 Old White Plains Road, Tarrytown, NY 10591
(914) 631-6070 • FAX # (914) 631-5172
www.cicbca.org
e-mail - info@cicnys.org

Local Sales Tax Collections Dropped 8.2% in July

ALBANY—As the New York State economy continues its reopening process and the state continues to post low COVID infection numbers, local sales tax collections are improving, although still down compared to last year.

Sales tax revenue for local governments in July fell 8.2% compared to the same period last year, according to New York State Comptroller Thomas P. DiNapoli. Collections for counties and cities in July totaled \$1.3 billion, or \$116 million less than in July 2019. Although revenue is still down compared to July 2019, the decline is less steep than any month since March, when the COVID-19 pandemic began to affect sales tax collections, the State Comptroller's Office reported on Aug. 12.

Nearly every county in every region of the state saw overall July collections drop year over year. Only four counties had in-

creases, including Westchester where its tax rate increase in August of 2019 boosted year-over-year growth by 18.7%. County decreases ranged from 2.1% in Essex to 19.7% in Schuylerville. New York City experienced a 7.3% decline, amounting to a \$44.6 million reduction in revenues. While less dramatic than the 46% (\$375 million) decrease seen in June, this represents another month where the city's sales tax revenue dropped significantly over the same month in the prior year.

Other Mid-Hudson counties all registered sales tax declines in July as compared to July 2019 with Orange County posted the largest decrease at 12.7%, followed by Rockland (-8.4%), Sullivan (-7.9%) and Putnam (-7.5%).

Yonkers posted the largest decline in sales tax revenue in July at 12.1%, followed by New Rochelle (-10.6%), White Plains

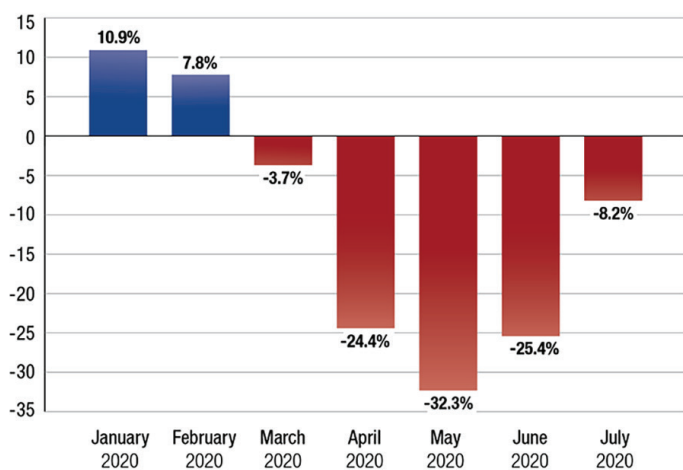
(-9.7%) and Mount Vernon (-1.4%).

"New York's local governments continue to see a significant downturn in sales tax collections, a major source of revenue. This is going to have a long-lasting effect on revenues for counties, cities and many towns and villages around the state," DiNapoli said. "The federal government needs to step up and provide financial help to those hit hard by this virus. Without action, communities may need to make severe cuts to critical services."

Last month, DiNapoli reported that local sales tax collections dropped 27.1% in the April-June quarter, down \$1.2 billion from collections in the same quarter of 2019.

Over the five-month period of the pandemic's effects (starting in March, when only New York City showed losses, and continuing through July), local

Monthly Year-Over-Year Change in Statewide Local Sales Tax Collections, January to July 2020



Source: New York State Department of Taxation and Finance, with calculations by OSC.
Notes: Includes New York City.

governments have received \$1.4 billion (18.7%) less than they did during the same period in 2019.

Collections for the month of June showed some improvement in most regions. Total collections were down 25.4%

compared to June 2019, largely due to a steep decline in New York City. Most counties saw an improvement compared to the significant drops in April and May, and many had year-over-year June increases.

\$2B Power Line Clears Key Hurdle Continued from page 1

John Lacey, TDI spokesman, said of the latest approval for the project, "We are pleased that the New York State Public Service Commission has approved TDI's application to make technical route changes to the Champlain Hudson Power Express. These changes were widely supported, and we look forward to beginning construction in 2021 and delivering benefits to New York including the creation of 2,000-plus construction jobs and new tax revenue."

The PSC allowed eight cable routing changes and a minor relocation of the converter station to the project. The developer requested minor changes to the route and of the converter station site to avoid shallow water engineering challenges, reduce rock removal and wetland impacts, accommodate community concerns and simplify the design of the converter station and the connecting electrical facilities. Letters in support of the routing amendments were filed by the towns of Clarkstown, Stony Point, Haverstraw, and the Village of West Haverstraw.

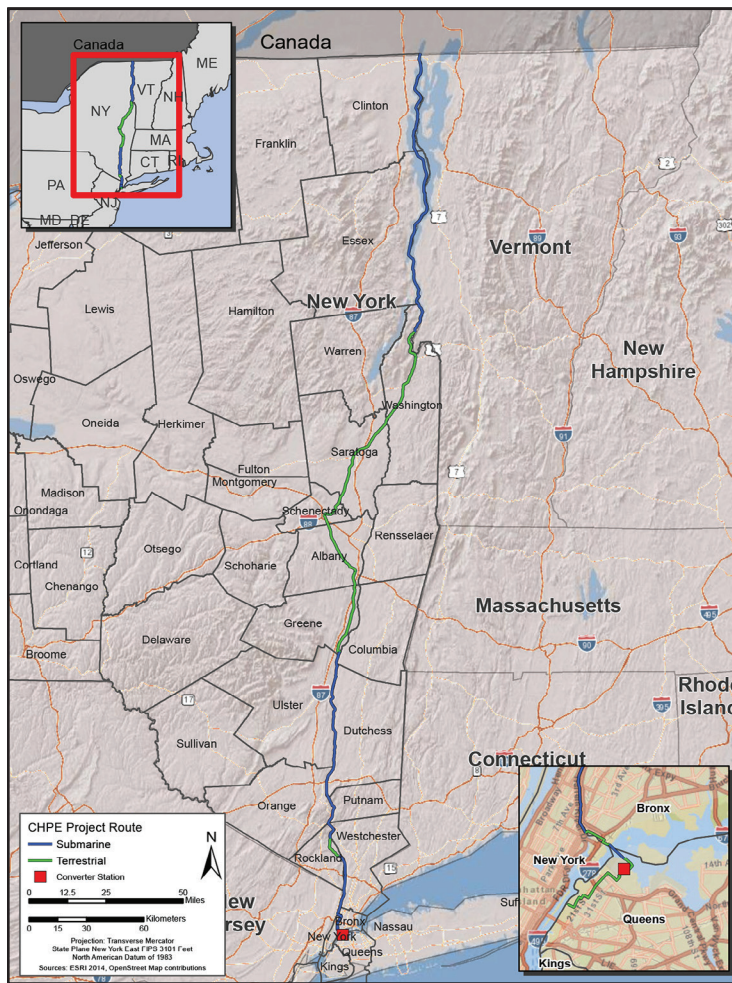
On April 18, 2013, the commission granted a certificate to Champlain Hudson, authorizing the construction of the project. The project's HVDC cable system will consist of two solid dielectric (i.e., no insulating fluids) electric cables, each approximately six inches in diameter. The cables will be installed either underwater or underground along the entire length of the project route. The project will have the capacity to transmit 1,000 MW of electricity to New York City. It is anticipated that the electricity transmitted by the project will be primarily hydroelectric power. The transmission line is expected to produce enough power for more than 1 million homes.

According to the developer, the changes will result in the addition of about 5.8 miles of transmission circuit, or

less than a 2% increase in the total project length. Specific changes to the route include the following:

- relocating the route centerline in the towns of Clarkstown, Haverstraw, Stony Point and the villages of West Haverstraw, and Haverstraw from the railway ROW (right of way) to road ROW and certain other connecting properties; relocating the Astoria-Rainey cable under the streets in Queens, New York City;
- relocating the converter station site within the Astoria Generating complex in Queens, New York City.
- relocating the Catskill Creek crossing in the town and village of Catskill;
- relocating the route centerline in the towns of Putnam and Dresden from underwater through the narrows of Lake Champlain, to upland road ROW;
- relocating the route centerline in the towns of Fort Ann and Whitehall a short distance from the CSX railroad ROW to parallel alignment within Town road ROW;
- relocating the railroad and street route centerline from the city of Schenectady to the village of Scotia and the towns of Rotterdam and Glenville to avoid recently redeveloped areas in Downtown Schenectady and
- relocating the route centerline in the town of Bethlehem outside of the Selkirk rail yards to road ROW, railroad ROW, and certain other connecting properties.

The developer, which has made a commitment to use union labor, estimates that the project will create approximately 1,000 construction jobs statewide and another 1,000 indirect jobs. Localities will benefit from approximately \$1.7 billion in new tax revenue over the first 30 years of the project, according to TDI estimates. In total from the start of construction through the first 30 years of operation, the project is expected to deliver approxi-



The 1,000-megawatt Champlain Hudson Power Express transmission line will extend approximately 330 miles from the New York/Canada border to a converter station in Astoria, Queens.

mately \$28.6 billion in economic benefits to New York State.

Department of Public Service staff found that the modifications would not result in any material increase in environmental impacts and the proposed modifications to the previously certified route of the project will not result in a substantial change in the location of all or a portion of the project.

The Champlain Hudson Power Express recently received two authorizations, granted by the Federal Energy Regulatory Commission and the International Boundary Commission that clear the way for the project to finalize transmission agreements and undertake construction activities at the U.S.-Canada border.

On May 29, FERC granted the project's request for authority

to sell transmission rights at negotiated rates. This allowed the project to conduct an Open Solicitation process, which began in June, and execute agreements with parties interested in transmitting power along the Champlain Hudson Power Express to New York City.

The second approval was received from the International Boundary Commission, an international organization responsible for surveying and mapping the United States-Canada border. This pre-construction approval allows construction of the project to be done at the border and is in addition to the previously received Presidential Permit from the U.S. Department of Energy.

The project has received widespread support from organized labor.

For example, Armand E. Sabitoni, general secretary-treasurer and New England regional manager of the Laborers' International Union of North America, expressed LIUNA's support for the Champlain Hudson Power Express project in a July 17, 2020 viewpoint in the *Middletown Times Herald Record*.

Mr. Sabitoni in expressing his support for the Champlain Hudson project, noted that it is just one of a number of major energy projects in the pipeline. "One area where we have both need and opportunity is the state's aging electrical infrastructure. It needs to be addressed not only for system reliability, but also to create a modern electrical system equipped with smart grid technology to power a green future throughout the Hudson Valley and all of New York," Mr. Sabitoni stated.

Christopher Erikson, business manager of IBEW Local 3, also offered the union's support for the transmission line development and other green/energy projects in an opinion article published in the *Gotham Gazette*.

Mr. Erikson noted that "from an infrastructure and economic development perspective, there are some large projects waiting in the wings that will make a real difference in the lives of all New Yorkers. Investment is needed in transmission lines, onshore wind, solar, hydro, offshore wind, and improvements at our ports—renewable energy projects will put the men and women of this state back to work. The Champlain Hudson Power Express is one such project."

TDI's Lacey said that construction is scheduled to start in 2021, but no construction schedule has been released to date. Mr. Lacey has stated in a published report earlier this year in *S&P Global* that TDI expects to reach financial close on the Champlain Hudson Power Express project by the end of this year.



SITE PLANNING & DESIGN
GEOTECHNICAL ENGINEERING
ENVIRONMENTAL PERMITTING
SURVEYING & MAPPING
STRUCTURAL ANALYSIS & DESIGN
CONSTRUCTION MANAGEMENT
SPECIAL INSPECTIONS
LABORATORY MATERIALS TESTING

Tectonic
PRACTICAL SOLUTIONS. EXCEPTIONAL SERVICE.

Hudson Valley (Corporate):
70 Pleasant Hill Road
Mountainville, NY 10953

Metropolitan NYC:
118-35 Queens Boulevard, 10th Floor
Forest Hills, NY 11375

NY • NJ • CT • VA • FL • AZ • NM • CA • TX
Tel: 800-829-6531 • www.tectonicengineering.com

\$15M Saw Mill Sewer Work To Go Years Ahead of Plan

NEW CASTLE, NY—A \$15-million relief sewer will soon be installed on a section of the Saw Mill River along Hunt’s Lane in the Town of New Castle, NY.

The Saw Mill Relief Sewer Project, which was originally scheduled for 2024, was accelerated to begin in 2020 after the Westchester County Departments of Environmental Facilities, Planning and Health worked with the Town of New Castle and the Village/Town of Mount Kisco to develop a cost-effective solution to address a long-standing issue.

The infrastructure project will relieve a “choke point” on the Saw Mill River sewer trunk line by increasing the pipe size to 30 inches and will address multiple long-standing sewage issues and concerns, while protecting the surrounding communities and watershed. Any diversion of sewage to this improved line will be coordinated and funded by the New York City Department of Environmental Protection under a separate project, county officials stated.

On June 10, Westchester County Executive George Latimer said, “This is a true example of all levels of government working together to advance a project that will create a solution to a long-time sewage problem for the Town of New Castle. The Saw Mill Relief Sewer Project will alleviate choke point issues stemming from a narrowing portion of the county’s Saw Mill trunk line. This increase in capacity will provide an outflow solution for communities across northeast Westchester.”

Commissioner of the Department of Environmental Facilities Vincent Kopicki added, “This is a project which we had initially projected would be designed and constructed starting in 2024, however due to the urgency for the work to be completed we are expediting design, and moving construction to begin in 2021. The Saw Mill Relief Sewer Project is an excellent example of the county’s commitment, under the guidance of County Executive Latimer, to working together with local municipalities in order to solve problems.”

County Legislator and Chair of the Committee of Public Works Vedat Gashi noted, “This is an excellent example of what can be accomplished when all levels of government are engaged and work towards a common purpose. This vital infrastructure project was long overdue; it will mean clean drinking water and protecting our environment for our children and for generations to come.

Please turn to page 19



“Our Cat Dealer H.O. Penn helps us choose the right equipment for the job.”

“Before we select a piece of equipment, H.O. Penn shows us options that give us the lowest owning and operating costs. That way we get enough capability to do our jobs without paying for more machine than we need. That kind of service makes a real difference.”

Service. We’ll be there with the solutions you need throughout the life of your Cat machine. Call us today to find out all the ways we can help you get the most from your equipment. www.hopenn.com



Bloomington, NY - Bronx, NY - Holtsville, NY - Poughkeepsie, NY - Newington, CT

1-844-CAT-1923



Regional Bid Alert Sponsored by

WTR

WESTCHESTER
TOOL RENTALS
wtrrentals.com • 914-592-2016

NYS DOT - Region 8

Bid Letting Date: Sept. 10, 2020

Brian DeWald, PE
Assistant Director of Construction
New York State Department of Transportation
50 Wolf Road, Albany, NY 12232
(518) 457-9688

Contract# D264307
PIN# 881416

Project Description: Columbia, Dutchess, Orange, Putnam, Rockland, Ulster, Westchester Cos., Highway Where & When Project.

Bid Deposit: 5% of Bid (~ \$125,000.00)

Goals: MBE: 5.00%, WBE: 10.00%, SDVOB: 6.00%

Bid Letting Date: Sept. 10, 2020

Brian DeWald, PE
Assistant Director of Construction
New York State Department of Transportation
50 Wolf Road, Albany, NY 12232
(518) 457-9688

Contract# D264308
PIN# 882372

Project Description Rockland, Westchester Cos., traffic signal & detection improvements at various locations along Lower Hudson Link.

Bid Deposit: 5% of Bid (~ \$375,000.00)

Goals: MBE: 3.00%, WBE: 7.00%, SDVOB: 6.00%

NYS DOT - Region 10

Bid Letting Date: Sept. 10, 2020

Brian DeWald, PE
Assistant Director of Construction
New York State Department of Transportation
50 Wolf Road, Albany, NY 12232
(518) 457-9688

Contract# D264234
PIN# 081019

Project Description: Nassau, Suffolk Cos., park & ride/ bikeway/noise wall maintenance, graffiti removal, tree trimming: various locations.

Bid Deposit: 5% of Bid (~ \$200,000.00)

Goals: MBE: 8.00%, WBE: 13.00%, SDVOB: 6.00%

Bid Letting Date: Sept. 10, 2020

Brian DeWald, PE
Assistant Director of Construction
New York State Department of Transportation
50 Wolf Road, Albany, NY 12232
(518) 457-9688

Contract# D264294
PIN# 081020

Project Description: Nassau, Suffolk Cos., Regional Where And When Contract Nassau and Suffolk Counties.

Bid Deposit: 5% of Bid (~ \$375,000.00)

Goals: MBE: 5.00%, WBE: 10.00%, SDVOB: 6.00%

Westchester County DPW

Bid Due Date: Aug. 26, 2020

Contract: 19-515 (\$100.)

Title: Parking Garage Rehabilitation – Phase I, Michaelian Office Building, 148 Martine Avenue, White Plains, NY

Description: The work under this contract consists of providing all necessary labor, material and equipment required for the rehabilitation of the existing Parking Structure at the White Plains Complex which includes structural repairs and/or replacements of various concrete elements; including columns, waffle slab systems, slabs on grade, beams, parapets and ramps. Work also includes the waterproofing of the roof concrete parking deck and other miscellaneous work. In addition, work will include the rehabilitation of the existing mechanical and

electrical systems as required.

NOTE: The Contractor is directed to the Special Notice regarding Project Labor Agreement (PLA).

Bid Estimate Range: \$3.5 million to \$4 million. MANDATORY PRE-BID INSPECTION: scheduled for 10:00 a.m. on Aug. 11, 2020; meeting at the Martin Luther King, Jr. Boulevard Entrance Gate. MANDATORY attendance is required. Bids will be rejected from Contractors not in attendance at this meeting, or those who fail to sign the attendance sheet.

Contact: Esther Rivas, 914-995-5584.

NYS Dormitory Authority

Bid Due Date: Aug. 27, 2020

Title: New York State Office for People with Developmental Disabilities, Hudson Valley DDSO, Hostel 11012 Falling Rock Protection Barrier

Contract: CR19 General Construction

Project Number 3510609999

Sealed bids for the above Work located at Hudson Valley DDSO, Hostel 11012, 223 South Boulevard, South Nyack, New York 10960 will be received by DASNY at its office located at 515 Broadway, Albany, NY 12207. Each bid must be identified, on the outside of the envelope, with the name and address of the bidder and designated a bid for the Project titled above. When a sealed bid is placed inside another delivery jacket, the bid delivery jacket must be clearly marked on the outside "BID ENCLOSED" and "ATTENTION: CONSTRUCTION CONTRACTS – JENNIFER BURTON." DASNY will not be responsible for receipt of bids which do not comply with these instructions.

All individuals who plan to attend pre-bid meetings or bid openings in person will be required to complete and present a DASNY Covid-19 Daily Worksite Screening Questionnaire, present government-issued picture identification to building security officials and obtain a visitors pass prior to attending the bid opening. The questionnaire and all instructions are located after Section 19.0 of the Information for bidders.

Individuals and entities submitting bids in person or by private delivery services should allow sufficient time for processing through building security to assure that bids are received prior to the deadline for submitting bids.

All bid openings will be made available for viewing live via Zoom at www.zoom.us. To enter the meeting, select "Join a Meeting" then enter Meeting Id 353 471 6521, Password 351895. Individuals are strongly encouraged to utilize this public viewing option as an alternative to in person attendance at bid openings.

Only those bids in the hands of DASNY, available to be read at 2:00 PM local time on August 27, 2020 will be considered. Bids shall be publicly opened and read aloud. Bid results can be viewed at DASNY's website; <http://www.dasny.org>.

In accordance with State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between DASNY personnel and a prospective bidder during the procurement process. Designated staff for this solicitation is: Katarzyna Drogowski, Project Manager, DASNY, Rockland Psychiatric Center, 140 Old Orangeburg Road, Building 19 – Second Floor, Orangeburg, New York 10962 917-416-6642 kdrogows@dasny.org (the Owner's Representative) and DASNY at ccontracts@dasny.org. Contacts made to other DASNY personnel regarding this procurement may disqualify the prospective bidder and affect future procurements with governmental entities in the State of New York. For more information pursuant to this law, refer to DASNY's website; <http://www.dasny.org> or the OGS website; <http://www.ogs.state.ny.us>.

A Pre-Bid Meeting is scheduled on Tuesday, August 11, 2020 at 1:00 PM at Hudson Valley DDSO, Hostel 11012, 223 South Boulevard, South Nyack, NY 10960. Contact Katarzyna Drogowski at 917-416-6642. All prospective

bidders are strongly encouraged to attend.

A complete set of Contract Documents may be viewed and/or purchased online from Camelot Print and Copy Centers. Only those Contract Documents obtained in this manner will enable a prospective bidder to be identified as an official plan holder of record. DASNY takes no responsibility for the completeness of Contract Documents obtained from other sources. Contract Documents obtained from other sources may not be accurate or may not contain addenda that may have been issued. The plan holders list and a list of interested subcontractors and material suppliers may be viewed at DASNY's website: <http://www.dasny.org>. For Bid Opportunities and other DASNY related news, follow us on Twitter @NYS_DASNY and Facebook <https://www.facebook.com/pages/DASNY-Dormitor-Authority-of-the-State-of-New-York/307274192739368>.

Bid Due Date: Sept. 3, 2020

Title: City University of New York, Queens College, Remsen Hall Swing Space and HAZMAT Abatement Rebid

Contract: CR16 General Construction

Project Number 3066809999

Sealed bids for the above Work located at Queens College, Remsen Hall, 65-30 Kissena Blvd., Flushing, New York 11367 will be received by DASNY at its office located at 515 Broadway, Albany, NY 12207. Each bid must be identified, on the outside of the envelope, with the name and address of the bidder and designated a bid for the Project titled above. When a sealed bid is placed inside another delivery jacket, the bid delivery jacket must be clearly marked on the outside "BID ENCLOSED" and "ATTENTION: CONSTRUCTION CONTRACTS." DASNY will not be responsible for receipt of bids which do not comply with these instructions.

The Dormitory Authority of the State of New York ("DASNY") has determined that its interest in obtaining the best work at the lowest possible price, preventing favoritism, fraud and corruption, and other considerations such as the impact of delay, the possibility of cost savings advantages and any local history of labor unrest are best met by use of a Project Labor Agreement ("PLA") on this Project. The successful low bidder, as a condition of being awarded this Contract, will be required to execute the PLA described in the Information for Bidders and included in the Contract Documents. See Section 18.0 of the Information for Bidders of the Contract Documents for additional information. All subcontractors of every tier will be required to agree to be bound by the PLA.

All individuals who plan to attend pre-bid meetings or bid openings in person will be required to complete and present a DASNY Covid-19 Daily Worksite Screening Questionnaire, present government-issued picture identification to building security officials and obtain a visitors pass prior to attending the bid opening. The questionnaire and all instructions are located after Section 19.0 of the Information for bidders.

Individuals and entities submitting bids in person or by private delivery services should allow sufficient time for processing through building security to assure that bids are received prior to the deadline for submitting bids.

All bid openings will be made available for viewing live via Zoom at www.zoom.us. To enter the meeting, select "Join a Meeting" then enter Meeting Id 353 471 6521, Password 351895. Individuals are strongly encouraged to utilize this public viewing option as an alternative to in person attendance at bid openings.

Only those bids in the hands of DASNY, available to be read at 12:00 PM local time on September 3, 2020 will be considered. Bids shall be publicly opened and read aloud. Bid results can be viewed at DASNY's website; <http://www.dasny.org>.

In accordance with State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between DASNY personnel and a prospective bidder during the procurement process. Designated staff for this solicitation is: Manuel Saca,

Project Manager, 65-30 Kissena Boulevard, Flushing, New York 11367, 718-997-4972, msaca@dasny.org (the Owner's Representative) and DASNY at ccontracts@dasny.org. Contacts made to other DASNY personnel regarding this procurement may disqualify the prospective bidder and affect future procurements with governmental entities in the State of New York. For more information pursuant to this law, refer to DASNY's website; <http://www.dasny.org> or the OGS website; <http://www.ogs.state.ny.us>.

A Pre-Bid Meeting is scheduled on Thursday, August 20th, 2020 at 10:00 AM at Queens College, 65-30 Kissena Boulevard, DASNY Trailer located at Gate 3 at 15 Flushing, New York 11367 DASNY Trailer located at Gate 3 at 153 Street and Reeve Avenue. Contact Manuel Saca at 646-208-0038. All prospective bidders are strongly encouraged to attend.

Prospective bidders are advised that the Contract Documents for this Project contain new "GENERAL CONDITIONS for CONSTRUCTION" dated July 28, 2020 that contain significant revisions from those documents previously contained in DASNY's Contract Documents. Prospective bidders are further advised to review applicable sections of these General Conditions for any potential impact on their bid price prior to submittal of the bid.

A complete set of Contract Documents may be viewed and/or purchased online from Camelot Print and Copy Centers. Only those Contract Documents obtained in this manner will enable a prospective bidder to be identified as an official plan holder of record. DASNY takes no responsibility for the completeness of Contract Documents obtained from other sources. Contract Documents obtained from other sources may not be accurate or may not contain addenda that may have been issued. In addition, prospective bidders are advised that the Contract Documents for this Project contain new "GENERAL CONDITIONS for CONSTRUCTION" dated July 28, 2020 that contain significant revisions from those documents previously contained in DASNY's Contract Documents. Prospective bidders are further advised to review applicable sections of these General Conditions for any potential impact on their bid price prior to submittal of the bid. The plan holders list and a list of interested subcontractors and material suppliers may be viewed at DASNY's website: <http://www.dasny.org>. For Bid Opportunities and other DASNY related news, follow us on Twitter @NYS_DASNY and Facebook <https://www.facebook.com/pages/DASNY-Dormitor-Authority-of-the-State-of-New-York/307274192739368>.

Bid Due Date: Sept. 15, 2020

Title: City University of New York, Hunter College, North Building Radionuclide Lab Renovation and ACM Abatement

Contract: CR12 General Construction

Project Number 3520409999

Sealed bids for the above Work located at Hunter College, North Building, 695 Park Avenue, New York, New York 10021 will be received by DASNY at its office located at 515 Broadway, Albany, NY 12207. Each bid must be identified, on the outside of the envelope, with the name and address of the bidder and designated a bid for the Project titled above. When a sealed bid is placed inside another delivery jacket, the bid delivery jacket must be clearly marked on the outside, "BID ENCLOSED" and "ATTENTION: CONSTRUCTION CONTRACTS – DOMINICK DONADIO." DASNY will not be responsible for receipt of bids which do not comply with these instructions.

The Dormitory Authority of the State of New York ("DASNY") has determined that its interest in obtaining the best work at the lowest possible price, preventing favoritism, fraud and corruption, and other considerations such as the impact of delay, the possibility of cost savings advantages and any local history of labor unrest are best met by use of a Project Labor Agreement ("PLA") on this Project. The successful low bidder, as a condition of being awarded this Contract, will be required to execute the PLA described in the Information for Bidders and included in the Contract Documents. See Section 18.0 of the Information

for Bidders of the Contract Documents for additional information. All subcontractors of every tier will be required to agree to be bound by the PLA.

All individuals who plan to attend pre-bid meetings or bid openings in person will be required to complete and present a DASNY Covid-19 Daily Worksite Screening Questionnaire, present government-issued picture identification to building security officials and obtain a visitors pass prior to attending the bid opening. The questionnaire and all instructions are located after Section 19.0 of the Information for bidders.

Individuals and entities submitting bids in person or by private delivery services should allow sufficient time for processing through building security to assure that bids are received prior to the deadline for submitting bids.

All bid openings will be made available for viewing live via Zoom at www.zoom.us. To enter the meeting, select "Join a Meeting" then enter Meeting Id 353 471 6521, Password 351895. Individuals are strongly encouraged to utilize this public viewing option as an alternative to in person attendance at bid openings.

Only those bids in the hands of DASNY, available to be read at 2:00 PM local time on September 15, 2020 will be considered. Bids shall be publicly opened and read aloud. Bid results can be viewed at DASNY's website; <http://www.dasny.org>.

In accordance with State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between DASNY personnel and a prospective bidder during the procurement process. Designated staff for this solicitation is: Jhony Gutierrez, Sr. Field Representative, 695 Park Avenue, North Building C001, New York, New York 10065 (the Owner's Representative) and DASNY at ccontracts@dasny.org. Contacts made to other DASNY personnel regarding this procurement may disqualify the prospective bidder and affect future procurements with governmental entities in the State of New York. For more information pursuant to this law, refer to DASNY's website; <http://www.dasny.org> or the OGS website; <http://www.ogs.state.ny.us>.

A Pre-Bid Meeting is scheduled on Wednesday, August 12, 2020 at 10:00 AM at West Building Lobby 904 Lexington Avenue, New York, New York 10065. Contact Jhony Gutierrez at 212-439-9289. All prospective bidders are strongly encouraged to attend.

Prospective bidders are advised that the Contract Documents for this Project contain new "GENERAL CONDITIONS for CONSTRUCTION" dated May 1, 2018 that contain significant revisions from those documents previously contained in DASNY's Contract Documents. Prospective bidders are further advised to review applicable sections of these General Conditions for any potential impact on their bid price prior to submittal of the bid.

A complete set of Contract Documents may be viewed and/or purchased online from Camelot Print and Copy Centers. Only those Contract Documents obtained in this manner will enable a prospective bidder to be identified as an official plan holder of record. DASNY takes no responsibility for the completeness of Contract Documents obtained from other sources. Contract Documents obtained from other sources may not be accurate or may not contain addenda that may have been issued. In addition, prospective bidders are advised that the Contract Documents for this Project contain new "GENERAL CONDITIONS for CONSTRUCTION" dated May 1, 2018 that contain significant revisions from those documents previously contained in DASNY's Contract Documents. Prospective bidders are further advised to review applicable sections of these General Conditions for any potential impact on their bid price prior to submittal of the bid. The plan holders list and a list of interested subcontractors and material suppliers may be viewed at DASNY's website: <http://www.dasny.org>. For Bid Opportunities and other DASNY related news, follow us on Twitter @NYS_DASNY and Facebook <https://www.facebook.com/pages/DASNY-Dormitor-Authority-of-the-State-of-New-York/307274192739368>.

CONTRACTOR EQUIPMENT & SUPPLY

WTR

WESTCHESTER
TOOL RENTALS
wtrrentals.com • 914-592-2016

11 Vreeland Ave., Elmsford, NY 10523
1075 Washington Street, Peekskill NY 10566 | 914-739-9000



Attorney's Column

Substantial Completion Means 'Substantial,' Saving Contractor's Claim from Dismissal

By THOMAS H. WELBY, P.E., ESQ. and GREGORY J. SPAUN, ESQ.

In previous columns, we have written about contracts where the parties have reduced the applicable statute of limitations from the generally applicable six years to as little as six months. The issue with such contracts is that they are often written so that the limitations period runs before the claim accrues—which will result in a court invalidating the provision entirely. However, not every construction contract has such a provision. As can be seen from the recent case of *Eurotech Construction Corp. v Skanska USA Building Inc.*, even where there is not a shortened limitations period in the contract, it



is equally crucial to determine when the claim actually accrues so that the statute of limitations can be properly applied.

Background

In March of 2011, Eurotech Construction signed a subcontract with Skanska USA Building where Eurotech was to be a subcontractor on one of Skanska's New York City School Construction Author-

ity projects. On June 20, 2013, Eurotech sent its "98%" substantial completion invoice to Skanska for payment, indicating that 98% of the work had been completed. Despite having submitted its "98% invoice," Eurotech performed the following work after the submission of that invoice: repairs to auditorium ceilings; changing and raising soffits; changing and raising framing; changing metal panels and waterproofing; changing and fixing hundreds of doors; installing louvers and door stops; installing aluminum sills; removing ceilings to permit cable installation and patching sheetrock ceilings, all totaling 1,039

The court further distinguished the controlling case on the issue, noting that the "incidental matters" referenced there were only a minor punch list—not over 1,000 hours of actual physical work. In light of this actual physical work continuing well after July 21, 2013, the court held that the claim was timely.

hours' worth of effort.

Issues arose during the project, and Eurotech ultimately sued Skanska to recover nearly \$6 million for amounts it claimed were owed. Importantly, Eurotech commenced its lawsuit on July 21, 2019. Skanska moved to dismiss the lawsuit, arguing that Eurotech

submitted its 98% invoice on June 20, 2013, and as the lawsuit was commenced more than six years later, it was time barred. In opposition, Eurotech noted that it performed more than just incidental work after the submission of the 98% invoice, and that substantial completion only occurred on the completion of that substantive work.

Decision

While both sides agreed that a claim for the breach of a construction contract accrues upon substantial completion of the construction, the parties fought over whether such substantial completion had been achieved before, or after, July 21, 2013: the earliest date on which the claim would not have been time barred. The court denied the motion to dismiss, holding that the well settled law on the subject does not reference the measure of substantial completion by any percentage of completion. Rather, the test announced by the Court of Appeals, and again applied here, holds that the statute of limitations begins to run "on the completion of the project even though incidental matters related to the project remained open." The court further distinguished the controlling case on the issue, noting that the "incidental matters" referenced there were only a minor punch list—not over 1,000 hours of actual physical work. In light of this actual physical work continuing well after July 21, 2013, the court held that the claim was timely.

Comment

In negotiating construction contracts, especially between owners and general contractors, the definition of substantial completion is often hotly contested. Owners frequently try to delay a substantial completion payment by requiring the contractor to jump through a number of hoops, some involving outside parties such as the local building department. Having the parties agree upon the definition of substantial completion up front, in the contract, eliminates many of these issues. However, even without a definition of substantial completion in the contract here, the court dismissed the general contractor's form over substance argument, and held

Please turn to page 19



AMERICAN SHORING INC.

See our Entire Line! Call for Catalogs Including:

- ★ Trench Boxes ★
- ★ Rock Boxes ★
- ★ Hydraulic Shoring ★
- ★ Aluminum Trench Boxes ★
- ★ Portable Safety Guard Rails ★
- ★ Road Plates ★
- ★ Hydraulic Shoring ★
- ★ Slip-Not® Ladder Retention System ★

- We can provide you with the world's largest or smallest trench box or shoring system.
- Get high production numbers while keeping your workers safe.
- We will show you how with our on-site supervision.
- Contact us for the world's very best shoring.
- We will deliver on time.

FACTORY DIRECT

Sales • Rentals • Service • Repairs
Trade-ins • Recertification

Factory & Corporate Office:
207 Lake Street (Route 32)
Newburgh, NY, 12550
1.845.562.4477

New England Area
238 E Cherry Street
Shrewsbury, MA 01545
1.508.842.2822

MidAtlantic Area:
506 Pulaski Highway
Joppa, MD 21085
1.443.313.3461

Or Phone us Toll Free from anywhere:
1-800-407-4674
www.americanshoring.com
E-Mail us at: sales@americanshoring.com



INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 137

JEFF LOUGHLIN - BUSINESS MANAGER

WAYNE HELLER - PRESIDENT

JAMES SASSO - VICE PRESIDENT/BUS. AGENT

JOHN MCGILL - RECORDING CORR. SECRETARY

JOE SCHNEIDER - TREASURER

DANIEL FENYO - FINANCIAL SECRETARY

MICHAEL MILLER - BUSINESS AGENT

EXECUTIVE BOARD

JOHN BELARDI - RONALD BURGESS

ROCCO MICELI - MICHAEL MILLER

DAVID RYAN - ROCCO SANSEVERINO

**1360 Pleasantville Road Briarcliff Manor, NY 10510
(914)762-0600**

ALBANY UPDATE

Changes to Water Infrastructure Loan Program Address Historic Environmental Injustices

ALBANY—Gov. Andrew M. Cuomo announced on Aug. 11 proposed changes to the financing tools New York makes available to municipalities that will prioritize Environmental Justice areas for water infrastructure projects.

The changes would help address the historic inequities faced by low-income communities and communities of color that have borne the brunt of the worst environmental impacts. These resources will fix existing water infrastructure issues and prevent future ones by making more municipalities eligible for cost-saving financial assistance that allows them to afford critical clean and drinking water projects.

“Everyone, including state and local governments, has an obligation to rethink how our actions can create negative environmental impacts that disproportionately affect low-income and disadvantaged communities,” Gov. Cuomo said. “Prioritizing Environmental Justice communities for these resources will help municipalities overcome the financial challenges standing in the way of making sure every New Yorker has access to water that is safe to drink and clean for recreation.”

The New York State Environmental Facilities Corporation, in cooperation with the state’s Department of Environmental Conservation and Department

of Health, administers the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund to provide zero- and low- interest loans to support critical water and drinking water infrastructure projects across the state. These projects include the construction of sewers, wastewater treatment plants, water storage tanks, water distribution systems, and water treatment systems to protect the environment and public health.

The state is revising the CWSRF and DWSRF programs to include additional considerations for low-income communities and communities of color that have historically been burdened by pollution and other environmental challenges and will make zero-interest financial assistance available to more areas that serve Environmental Justice community residents. Each year, EFC issues draft federal fiscal year Intended Use Plans for public review and comment that provide information about New York’s revolving loan fund programs. The IUPs include the types of financial assistance available, the sources and uses of each of the SRF’s funds, and identify the infrastructure projects that are eligible for financial assistance in FFY 2021.

The 2021 draft IUPs include revisions to incentivize water infrastructure improvements in Environmental Justice

communities. Projects that primarily benefit Environmental Justice communities would be eligible for zero-interest financing pursuant to the SRF Hardship Policies. In addition, beginning in FFY 2021, all municipalities seeking SRF financial assistance to fund their water infrastructure projects will be required to consider the impacts of their proposed project on Environmental Justice communities as part of their required engineering reports.

EFC has also released amended SRF Hardship Policies for public comment that will enable more communities to access zero-interest financing for water infrastructure improvement projects. Municipalities that would otherwise not be eligible for Hardship financing will be eligible if their project serves, protects, or benefits an Environmental Justice community. Their proposed water infrastructure project would be reviewed by a third-party independent professional engineer that will include a Value Engineering evaluation of the project to determine whether costs can be reduced without sacrificing the quality of the project and to confirm that at least 50% of the project cost or project scope serves, protects, or benefits an identified Environmental Justice area. When confirmed, a municipality will be eligible for zero-interest financing to implement the project. Current market conditions indicate communities could save approximately 27% over the term of the financing, state officials said.

EFC Board Chair and DEC Commissioner Basil Seggos said, “Combating the effects of climate change, providing clean drinking water, improving air quality, or fixing infrastructure are just some of the ways our state continues to lead in promoting better communities for all. Gov. Cuomo continues to demonstrate his commitment to prioritizing Environmental Justice across the many programs and initiatives that New York has available to benefit communities and to prevent any potential future injustices.”

EFC Acting President, Chief Executive Officer and General Counsel Maureen Coleman said, “New York State administers the largest State Revolving Fund programs in the nation. These programs provide more than \$1.5 billion annually to the state’s municipalities to support critical water infrastructure. This announcement represents an important step forward in ensuring that New York’s Revolving Funds support the state’s most disadvantaged communities.”

EFC and DOH had scheduled a webinar to review the Draft 2021 CWSRF and DWSRF IUPs and answer participant questions on Wednesday, Aug. 19, 2020 at 10 a.m. EFC and DOH will hold a virtual joint public hearing to accept public comments on the draft IUPs on Wed., Sept. 2, 2020, starting at 2 p.m. Written comments on the Draft IUPs must be submitted by 5 p.m. Mon., Sept. 21, 2020. The proposals, meeting, hearing, and public comment submission details can be found at www.efc.ny.gov.

Read Attorney’s Column Every Month in
Construction NEWS

More ALBANY UPDATE on page 16



**NORTHEASTERN
USA'S LEADER IN
CRANE RENTAL,
RIGGING &
SPECIALIZED
TRANSPORTATION
SOLUTIONS.**

LOCATIONS IN:
NEW YORK CITY, NEW
JERSEY, CONNECTICUT,
MASSACHUSETTS, AND
WESTCHESTER NY

IT IS OUR GOAL TO PROVIDE
UNPARALLELED SERVICE TO THE
CONSTRUCTION, LIFTING AND HAULING
INDUSTRIES THROUGH
PROFESSIONALISM, KNOW-HOW, AND
EXCELLENCE — TO LIFT AND MOVE FOR
OUR COMMUNITIES IN THE SAFEST AND
MOST EFFICIENT WAYS USING
INNOVATIVE SOLUTIONS.

www.baycrane.com



CRANES | RIGGING | HEAVY TRANSPORT | GANTRIES | WAREHOUSING | ACCELERATED BRIDGE CONSTRUCTION | WIND

Progress on Decommissioning Massachusetts Nuclear Plant Adds Support for Indian Point \$1.9B Trust Fund Transfer

CAPE COD, MA—Holtec International, the proposed buyer of Entergy's Indian Point nuclear power plant, is making progress on its Northeast decommissioning plans with a legal settlement in Massachusetts.

The settlement announced in late June between Holtec and the state of Massachusetts resolved the state's environmental and financial concerns over the decommissioning of the Pilgrim nuclear plant in Plymouth and clears the way for continued progress on its demolition.

Entergy shuttered Pilgrim in May 2019 and sold it, along with its \$1 billion decommissioning trust fund, to Holtec for prompt decommissioning.

Holtec also owns the shut-down Oyster Creek nuclear power plant in southern New Jersey and is in the

process of decommissioning that facility.

In New York, Entergy in 2019 announced an agreement to transfer Indian Point and its \$1.9 billion decommissioning trust fund to Holtec for prompt decommissioning. The transfer awaits approval by the U.S. Nuclear Regulatory Commission. The Buchanan, N.Y. plant is scheduled to shut down permanently in April 2021.

"Prompt decommissioning of nuclear plants had demonstrated it creates immediate jobs at the shuttered plant sites and benefits local communities by opening up industrial sites sooner for re-development," said Ross J. Pepe, president of the Construction Industry Council of Westchester & Hudson Valley, Inc., headquartered in Tarrytown, NY. Holtec has estimated that it can complete the



Entergy is scheduled to shut down the Indian Point Energy Center, located in Buchanan, N.Y., in spring 2021.

dismantling and demolition of Indian Point within 12

years to 15 years after the power plant shuts down, according to the company. The federal government allows up to 60 years to complete the process.

"After the permanent shutdown of Indian Point and license transfer, Holtec's decommissioning team will use local union labor and experienced site personnel to safely complete decommissioning decades sooner than originally planned," said Pam Cowan, senior vice president and chief operating officer of Holtec Decommissioning International, a Holtec subsidiary. "We are committed to being a good neighbor through prioritizing protecting the health and safety of our workers, the public, the environment and

meeting our commitments."

In Massachusetts, the settlement agreement addressed concerns raised by environmentalists and elected officials, including the state's attorney general, over financing for the project. Holtec was required to place \$193 million in a fund to be held until the decommissioning has been safely completed.

"This agreement provides critical protections, includes compliance measures stricter than federal requirements, and secures the funds necessary to safely and properly clean up this site," said Massachusetts Attorney General Maura Healey.

—CIC News Bureau, with industry reports



The Pilgrim Nuclear Power Station, located in Plymouth, Mass., is being decommissioned by Holtec International.

Global Site Selector Tells OC Partnership To 'Keep Calm and Embrace the Chaos'

By JOHN JORDAN

While most economic news of late in this time of the coronavirus is usually described as "bleak" or "grim," an international site selector speaking to a virtual meeting of the Orange County Partnership on July 22 indicated that the county's prime location, available workforce and lower cost land and housing will attract investment, particularly as residents and businesses abandon urban markets for the suburbs.

As part of its recently launched multi-faceted marketing effort, the Orange County Partnership hosted international site selector Didi Caldwell, president and founding principal of Global Location Strategies, on its virtual Investor Breakfast webinar to discuss industry trends as many areas of the



Didi Caldwell, president and founding principal, Global Location Strategies

United States continue to battle the coronavirus and what she believes locations can do to be ready once the pandemic has been arrested.

Ms. Caldwell noted that the economy's fundamentals were strong heading into the pandemic, making this period of time different than the circumstances prior to the Great Recession in 2008.

While she said that her firm is very busy with corporate space requirements, Ms. Caldwell described the overall view of the real estate investment market as a "mixed bag."

However, in terms of Orange County, she was much more upbeat. Ms. Caldwell, whose Greenville, SC-based firm is a member of the Site Selectors Guild, pointed to a recently released survey by the Guild that clearly indicates the suburbs are far from dead.

Released on July 16, the survey of Guild members conducted the week of June 29 found that the pandemic has

brought suburban areas and mid-size cities into the forefront of consideration for future site selection projects and even put rural areas well ahead of large urban areas. When Guild members were asked about locations that are "likely" or "very likely" to be considered by corporations looking to expand, relocate or open new facilities in the next 12 months, 64% chose suburban areas, 57% chose mid-size cities, 31% chose rural areas and just 10% chose large urban areas.

Of the consultants who agreed that large urban centers are "not at all" or "unlikely" to be considered for future projects, 100% said that New York City would be among the least likely locations to be considered for future projects in the next 12 months. Los Angeles and Chicago followed

with 63% and 42%, respectively. The survey was conducted the week of June 29 in partnership with Development Counsellors International.

"This (COVID-19) shock has started to have folks value living in a suburb or a smaller community where they can have a little more breathing room; where they don't have to commute and given the position of where Orange County is, I think that really bodes well for the interest of not just of residents, but also of companies that want to take advantage of the talent that is going to be moving to places like Orange County," Ms. Caldwell predicted.

The Guild's predicted top five most active industries for growth also served as good news for Orange County business.

Please turn to page 21

Financial Management

Remember the CARES Act As the Year Goes On

BY: PHILLIP ROSS, CPA, CGMA, PARTNER

When the Coronavirus Aid, Relief, and Economic Security (CARES) Act was signed into law in late March 2020, it got plenty of attention. For weeks afterward, guidance was issued and business owners, contractors included, spent time learning the relevant details.

At this point, the CARES Act may seem like old news. However, its tax provisions remain in effect as the year goes on and, in some cases, beyond 2020 (unless subsequent legislation changes them). Careful planning may allow construction business owners to fully benefit from the wide and varying tax relief offered.

Operating Losses

A net operating loss gener-



ally occurs when the deductible expenses of a company or trade exceed its income. Because of work stoppages and slowdowns caused by the COVID-19 pandemic, many construction businesses may report NOLs

for the 2020 tax year.

Before the Tax Cuts and Jobs Act (TCJA), taxpayers could carry back NOLs two years and carry them forward 20 years to offset taxable income. The TCJA limited the NOL deduction to 80% of taxable income for the year, eliminated the carryback of NOLs and removed the time limit on carryforwards.

The CARES Act allows NOLs arising in 2018, 2019 or 2020 tax years to be carried back five years. Additionally, it removes the taxable income limitation on deductions for prior-year NOLs carried forward into tax

years before 2021, so that NOLs can fully offset income. Keep in

The CARES Act allows NOLs arising in 2018, 2019 or 2020 tax years to be carried back five years. Additionally, it removes the taxable income limitation on deductions for prior-year NOLs carried forward into tax years before 2021, so that NOLs can fully offset income.

mind that this applies to both corporations and to owners of pass-through entities.

Finally, it temporarily eliminates the limitation on excess business losses that the TCJA had imposed for sole proprietors and owners of pass-through entities where their overall business losses were in excess of \$250,000 (\$500,000 in the case of a joint return). Taxpayers can now deduct these excess business losses arising in 2018, 2019 and 2020 tax years.

If any of these rule changes affect you, filing an amended return for a previous tax year may allow you to claim a tax refund now that can boost cash flow.

QIP Projects

For a while now, construction industry groups have been lobbying against the “retail glitch,” which Congress inadvertently created while drafting the TCJA. The drafting error caused any qualified improvement property (QIP) placed in service after Dec. 31, 2017, to be ineligible for 100% bonus depreciation. This typically includes upgrades to retail, restaurant and leasehold property.

The drafting error was corrected under the CARES Act. Most businesses can now claim 100% bonus depreciation for QIP, assuming all applicable rules are followed. What’s more, the correction is retroactive to any QIP placed in service after Dec. 31, 2017. (Improvements related to a building’s enlargement, elevator or escalator, or internal structural framework don’t qualify.)

As of this writing, it appears uncertain at best when businesses will be ready and willing to greenlight QIP projects. Nonetheless, keep an eye out for these opportunities when economic conditions improve.

Payroll Credit

The CARES Act created a refundable credit against payroll tax to help employers, including contractors, retain their workforces. It’s generally available to employers whose operations have been fully or partially suspended because of a governmental shutdown order related to COVID-19. Employers whose gross receipts have dropped more than 50% compared to the same quarter in the previous year (until gross receipts exceed 80% of gross receipts in the earlier quarter) are also typically eligible.

Qualifying employers whose workforces exceed 100 employees may claim the credit for employees who’ve been furloughed or had their hours reduced because of the reasons noted. If an employer has 100 or fewer employees, it can qualify for the credit regardless of whether it

Please turn to page 19

“Now more than ever, we must invest in our roads, bridges, energy, and water projects.”

The road to recovery begins with infrastructure.”

Greg Lalevee

Chair, ELEC825

Business Manager, IUOE Local 825



@ELEC825
ELEC825.org

#BUILDINGOURRECOVERY

ELEC825 is the labor management fund of Operating Engineers Local 825





Nicola Mario Altomare



Jake Badick



Anthony Cappello



Massimo Fante



Andrew J. Griffin

Construction Advancement Institute Awards \$50,000 in College Scholarship Grants

Ten Scholars from the Hudson Valley Region were Named Recipients

TARRYTOWN, NY—As part of its mission to improve the building and construction industry sectors, the Construction Advancement Institute (CAI) recently awarded \$50,000 in grants to 10 regional undergraduate students who are enrolled in engineering, architecture, construction technology, construction management or other related programs this fall. CAI is the educational and advocacy organization aligned with the Building Contractors Association (BCA).

The CAI Scholarship Committee met late last month online to announce the winners. CAI Chairman Mark Fante of Darante Construction Ltd. of Elmsford, N.Y., presented 10, \$5,000 grants to students for use in the upcoming 2020-2021 academic year.

"The money our industry raises and disburses for college scholarships is one of several annual charity efforts performed by members of organized labor and construction contracting companies for the community throughout the lower Hudson Valley," Mr. Fante said. "Our goal is to strengthen the ranks of engineers and technologists employed in the region, to help keep our local economies competitive and growing."

Since its inception in 2009, the CAI Scholarship Program has awarded 71 grants to 43 students who have attended 32 colleges and universities through-

out the U.S. This year's grant award of \$50,000 brings the total scholarship awards to \$285,000 over the past 12 years.

The following scholarship awardees were chosen from more than two dozen



CONSTRUCTION ADVANCEMENT INSTITUTE

applicants and were judged by the CAI Scholarship Committee:

Nicola Mario Altomare, 20, of Yonkers is a junior who attends Rensselaer Polytechnic Institute in Troy, NY, pursuing a degree in electrical engineering. He is the grandson of a member of the Bricklayers & Allied Craftworkers Local 1 NY. He is also a recipient of a CAI Scholarship in 2018 and 2019.

Jake Badick, 20, of Congers, NY is a junior who attends the University of Rhode Island, Kingston, RI. He is pursuing a degree in mechanical engineering. He is an employee of the BCA member company, Peter Gisondi & Co., Inc.

Anthony Cappello, 21, of Mohegan Lake, NY, is a senior who attends the University of Florida in Gainesville, FL, and is pursuing a degree in construction management. He is an employee of Calgi Construction Company, Inc. located in White Plains. Anthony is also a recipient of a CAI scholarship in 2019.

Massimo Fante, 18, of Sleepy Hollow, NY, is an incoming freshman studying biological sciences at Cornell University in Ithaca, NY. He is the son of Mark Fante of Darante Construction Ltd., a BCA-member company.

Andrew J. Griffin, 21, of Yonkers, NY is a senior who attends New York State University at Buffalo. He is pursuing a degree in architecture and is the son of Lisa Griffin and nephew of Vincent Romagnoli of the BCA-member company, Yonkers Contracting Co., Inc. He is also a recipient of a 2017, 2018 and 2019 CAI Scholarship award.

Mark J. Griffin, 18, of Yonkers, NY, is an incoming freshman attend-

ing New York State University at Buffalo. He is pursuing a degree in aerospace engineering. He is the son of Lisa Griffin and nephew of Vincent Romagnoli of the BCA-member company Yonkers Contracting Co., Inc.

Timothy R. Kohany, 35, of Thornwood, NY, attends Manhattan College, Bronx, NY. He is pursuing a degree in civil engineering. He is the son of a member of Carpenters Local 279.

Giuliana Piazza, 18, Valhalla, NY, is an incoming freshman attending Ohio State University, Columbus, OH where she is majoring in chemical engineering. She is the daughter of John Piazza, a BCA member company, Piazza, Inc.

Albert C. Rossi, 22, of Patterson, NY is a senior attending Manhattan College in Riverdale, NY. He is pursuing a degree in mechanical engineering. He is the son of a member of the Operating Engineers L.U. 137. He is a recipient of the CAI Scholarship awards in 2016, 2017, 2018 and 2019.

Anthony Sanseverino, 19, of LaGrangeville, NY, is a sophomore attending the Georgia Institute of Technology in Atlanta. He is pursuing a degree in civil engineering and is the son of a member of the International Union of Operating Engineers Local 137. He is also a recipient of a 2019 CAI Scholarship award.



Mark J. Griffin



Timothy R. Kohany



Giuliana Piazza



Albert C. Rossi



Anthony Sanseverino

Long-Delayed \$25M Memorial Field

Continued from page 1

of Memorial Field and turn the completed state-of-the-art facility back to Mount Vernon. "He agreed and has never wavered. My colleagues and I on the Board of Legislators worked collaboratively with the Latimer administration on approving the bond funding, intermunicipal agreements, and legislative actions that were necessary to enable the bidding process and to move the project forward. This all occurred in partnership

with Mayor Shawyn Patterson-Howard and the Mount Vernon City Council," Williams said.

State Assemblyman Gary Pretlow, who helped secure state funding for the project, said, "This is a proud day for the city and people of Mount Vernon. This new Memorial Field is a symbol of moving Mount Vernon forward and I thank County Executive Latimer, a native son, for his extraordinary efforts. I am proud to have played a part in making this work commence

for our city."

LandTek is a general contractor founded in 1979 that specializes in sports facility design and construction. The firm has worked with more than 1,000 school districts and private schools throughout the east coast, in addition to professional and private organizations including Columbia University, JFK Airport, New York City Football Club's new state-of-the-art practice facility and Stony Brook University.

**Advertising in
Construction NEWS
Doesn't Cost!
It Pays!**

Call Peter Fiore at
914-631-6070 for information.

Orange County Extends Bidding for Camp LaGuardia; Marketing Property to Firms Looking to ‘Escape’ NYC

By JOHN JORDAN

GOSHEN, NY—In an attempt to take advantage of real estate and business market trends in response to the coronavirus pandemic, Orange County has decided to market more than 250 acres of land adjacent to Route 17 to New York City businesses looking to relocate out of Manhattan.

Orange County Executive Steven M. Neuhaus told CONSTRUCTION NEWS that the county has extended a Request for Proposals from developers and investors to acquire the nearly 260-acre former Camp LaGuardia property in Blooming Grove and Chester. The original RFP deadline for proposals was Aug. 7. The submittal date has now been extended to Thursday, Sept. 10.

The county intends to undertake a media campaign geared at attracting New York City companies to the site, according to Orange County Executive Neuhaus. The marketing campaign to sell Camp LaGuardia will include an ad in the *Wall Street Journal* with an “Escape from New York” theme. The Orange County Industrial Development Agency has provided the county with \$25,000 for marketing and advertising the Camp LaGuardia site as the county continues to seek proposals.

“These sites are perfect for commercial development and will provide economic development as well as job opportunities for Orange County residents,” Mr. Neuhaus said. “I’m pleased that the county is moving forward to put these properties back on the tax rolls and to productive use, which will be a benefit to not just the county, but also to the City of Newburgh and the Towns of Chester and Blooming Grove.”

“Camp LaGuardia is close to the Heritage Trail and to Route 17, and can become a terrific opportunity for economic growth,” said Orange County Legislator John Vero, who represents Chester. “We need proposals which generate long-term revenue for the county and are compatible with local land use needs. Hopefully, multiple entities can demonstrate some

interest in this property.”

The County Legislature voted to acquire Camp LaGuardia, a homeless shelter for New York City residents, in 2007.

The county attempted to have the Camp LaGuardia property redeveloped and retained Mountco Construction of Scarsdale, NY as the developer, but in 2016 spent approximately \$1.3 million to terminate the deal with Mountco, which had proposed a \$300-million mixed-use development on the property but failed to secure approvals from affected municipalities to allow the project to break ground.

The Camp LaGuardia property features four parcels totaling 258.3 acres including a 153.5-acre parcel in the Town of Chester; a 40.8-acre parcel in the Town of Chester; a 59.6-acre parcel in the Town of Blooming Grove and a 4.4-acre parcel in the Village of Chester.

Orange County has also received two proposals to acquire multiple county-owned buildings on Grand Street in Newburgh, that were also offered through an RFP.

The county acquired the Grand Street Properties in December 2013. The properties include a former YMCA, Masonic Temple and American Legion buildings. The county acquired the Newburgh properties in the hopes of expanding SUNY Orange’s services to those properties.

Boutique hotel and restaurant firm Foster Supply Hospitality of Youngsville, NY has offered Orange County \$1 million in cash for the three Grand Street buildings in Newburgh with plans to develop a mixed-use project at the site. According to the firm’s RFP, it intends to develop an 80-room hotel, 20,000 square feet of meeting/event space and a 100-seat restaurant at the three properties.

The project, which has been estimated to cost approximately \$20 million, would require a zone change. Foster Supply stated in the RFP that it expects the engineering and zoning approval process to take six to



Orange County Executive Steven M. Neuhaus looks over a map of the Camp LaGuardia property.

FILE PHOTO

nine months once it has taken control of the site. Construction would take between 14 months to 18 months. It expects to have the hotel open for guests in mid-2022.

Somers-based Kearney Realty and Development Group has also submitted a bid of \$250,000 to develop the “Grand Street Revival” that would consist of 60 loft-style apartments, two retail storefronts and one 3,000-square-foot restaurant.

The County Legislature will select the developers who will buy some or all of the properties. The RFP for Camp LaGuardia can be found at www.orangecountygov.com/1968/RFP-Sale-of-former-Camp-LaGuardia-Propor.

NEW YORK CITY UPDATE

Mayor, Construction Trades Reach PLAs On Hiring Goals in Disadvantaged Areas

NEW YORK—New York City Mayor Bill de Blasio announced on Aug. 13 the Community Hiring economic justice plan, which includes new Project Labor Agreements with the building trades unions and a push for legislation in Albany to drive economic recovery in economically disadvantaged communities by utilizing the city’s purchasing power to connect New Yorkers to good jobs.

The plan would provide an estimated 1,300 construction jobs for every \$1 billion in construction for low-income communities, leading to an estimated \$1 billion in wages and benefits for target communities during the first full year of the program.

“During the worst economic crisis since the Great Depression, we’re taking action to connect low-income New Yorkers to good jobs and even better futures,” said Mayor de Blasio. “We’ll use the city’s purchasing power to address hiring disparities, expand opportunities and invest in our communities of color. Working together, we can build a fair and equitable future for all New Yorkers.”

“This is a truly historic and transformative moment for our city. Thanks to Mayor de Blasio’s leadership, New York City is committing its resources to an unprecedented

and unparalleled investment in job creation, workforce development, and community hiring,” said Gary LaBarbera, president of the Building and Construction Trades Council of Greater New York. “For years, New York’s union building trades have prioritized expanding access, equity, and opportunity in neighborhoods across the city.”

He added, “We look forward to building on that commitment and working directly with the administration to ensure that all New Yorkers—especially those in underserved communities—have access not only to our exceptional union apprenticeship and direct-entry programs, but also to the tens of thousands of middle-class careers that this agreement will create. Only through investing in our city’s greatest asset, our working men and women, will we fuel New York’s economic recovery.”

The Project Labor Agreements

The city and the Building and Construction Trades Council of Greater New York have negotiated new terms for the Citywide Renovation Project Labor Agreement, which covers renovation construction work on city-owned buildings, and a New Construction PLA that will cover selected future projects. The Citywide Renovation

PLA will serve as a template for other city PLAs. The PLA will create consistent work rules across construction projects, reduce administrative burden on construction agencies, and connect working people in neighborhoods across the city to union apprenticeship and pre-apprenticeship programs.

As part of the agreement:

- Unions will prioritize the referral of workers from zip codes where at least 15% of the population lives below the federal poverty level or are NYCHA residents, aiming to reach an overall goal that at least 30% of all hours worked under PLA projects are logged by workers from these zip codes.

- Unions will provide contractors with apprentices on city construction projects up to the maximum number allowed by the New York State Department of Labor when contractors request apprentices. An apprenticeship Memorandum of Understanding establishes, for the first time, specific annual goals for the number of slots provided for both apprentices and pre-apprentices for residents of disadvantaged communities and NYCHA housing.

The PLA also increases opportunities and adds flexibility for MWBEs, allowing their workforce to gain valuable

City Reaches 10,000 Certified M/WBEs

NEW YORK—Mayor Bill de Blasio announced on Aug. 13 that the city had surpassed 10,000 certified minority and women-owned business enterprises (M/WBEs), a 173.4% increase since the start of the administration. The achievement comes on the heels of Executive Order 59, which focused on expanding the pool of contracts subject to the M/WBE program and creating more opportunities for M/WBEs to win procurements. This puts the administration on track to award 30% of all city contracts to M/WBEs by 2021, and continues the city’s 10-year target to award \$25 billion to certified M/WBEs by 2025.

The administration is taking aggressive steps to strengthen M/WBEs and ensure the city’s procurement reflects the diversity of New York City businesses:

The city has more than doubled the certified pool of M/WBEs since 2016 (from 4,500 to 10,000). In the first three quarters of Fiscal Year 2020, the city reached a record 29.5% M/WBE utilization, totaling \$964 million in prime and sub-contracts.

The city is more than halfway to achieving the 10-year One-NYC goal awarding nearly \$16 billion of \$25 billion in contracts to M/WBEs by 2025; more than \$1 billion ahead of schedule.

In FY2019 alone, the city awarded \$3.8 billion in contracts to M/WBEs through both mayoral and non-mayoral agencies.

Firms interested in earning city certification should visit sbsconnect.nyc.gov to complete the application. For application assistance, call 888-SBS-4NYC or dial 311.

The COVID-19 pandemic has presented new opportunities for the M/WBEs. The city has more than \$400 million fighting COVID with M/WBEs, awarding more than 500 emergency contracts.

experience on city projects and build their companies, while continuing to source from within communities.

“The economic impacts of COVID-19 will be felt citywide long after a vaccine is widely available, but steps like this announcement of the new community hiring economic justice plan are exactly what we need

to ensure people can get back to work. The Building Congress is proud to be a partner in this effort as the building industry is a leading economic driver in helping low-income New Yorkers reach middle-class stability to support their families,” said Carlo A. Scissura, Esq., president & CEO of the New York Building Congress.

Economic Outlook

Construction, Housing Sectors Facing Stubborn Economic, Supply Challenges from COVID-19

By MICHAEL J. PATON

The economic impact of the COVID-19 pandemic in the United States continues to be largely disruptive. Although many companies have hired back thousands of workers, the virus is taking a huge toll on many industries including international travel, shipping, housing and commercial real estate. Local and national economic indicators and predictors of their paths are varied. There remains considerable economic uncertainty.

The housing markets in the Westchester/Hudson Valley region and Connecticut, in particular, are among the most vulnerable to the economic impact of the COVID-19 pandemic, according to a second-quarter report published by ATTOM Data Solutions, a national property database and data provider. Westchester, Rockland and Orange counties were among the 11 suburban counties in the New York metro area cited in the report with higher levels of unaffordable housing, underwater mortgages and foreclosure activity. In regard to homeownership costs—defined in the report as mortgage, property taxes



and insurance—Westchester led the nation in the second quarter with 77.1% of average local wage required for major ownership costs. Rockland was second with 71.1% of wages and Long Island's Nassau County ranked third at 63.4%.

A recent Price Waterhouse report points to a range of challenges and uncertainties regarding the engineering and construction industry—challenges that could deepen depending on the severity and length of the crisis in the U.S. and globally. According to the report, uncertainty surrounding the duration and depth of the crisis complicate analysts' ability to anticipate how a recovery could unfold for the con-

struction industry. The report notes that some construction projects have been delayed, and some canceled by the companies and governments that commissioned them. In addition, possible supply chain bottlenecks of equipment and materials—including structural steel and glass from Asia—could cause project delays in currently funded projects, or reduced spending on future ones.

Construction consulting firm FMI was more upbeat. Their third quarter 2020 report pointed to a return of optimism in both their overall Sentiment Index and in the Design Index segment when compared with last quarter's results. The Sentiment Index surged from 21.6 to 52.1, while the Design Index increased from 39.8 to 49.3, historic rises in both measures. This rebound appears to reflect improved confidence anticipated through the end of the year, particularly compared to the significant losses experienced during the second quarter. Government stimulus, relaxing of social

distancing restrictions, states reopening businesses and travel, as well as improved client confidence have all contributed

quarterly reduction from the first quarter of 2020. Turner has forecast total engineering and construction spending for the U.S. to end 2020 down 1%, compared to 0% growth in 2019. Specifically, spending growth in 2020 is expected to be led by public institutional and infrastructure investments across both nonresidential buildings and nonresidential structures. Current anticipated top-performing segments forecast in 2020 include public safety (+6%), transportation (+4%), water supply (+4%), and conservation and development (+4%). Forecast bottom-performing segments in 2020 include religious (-8%), commercial (-7%), amusement and recreation (-7%) and lodging (-3%).

A Center for Construction Research and Training study noted that it is unknown how many construction workers have become sick or lost their lives due to the COVID-19 outbreak. Their Data Bulletin has provided updated employment and health information among

Please turn to page 19

A recent Price Waterhouse report points to a range of challenges and uncertainties regarding the engineering and construction industry—challenges that could deepen depending on the severity and length of the crisis in the U.S. and globally.

to improved expectations, especially across construction-focused members, according to the report.

Turner's Second Quarter Building Cost Index, which measures costs in the non-residential building construction market in the United States, was less sanguine. The index noted a decrease to a value of 1177. This represents a -1.01%

 **United Rentals®**

Everything you need. Plus equipment.

From safety/operator training and equipment management technologies, to custom solutions engineered to meet specialized job requirements, United Rentals offers much more than just the world's largest rental fleet. It takes a lot to get the job done right. **We're here to help.**

UnitedRentals.com | 800.UR.RENTS

© 2017 United Rentals, Inc.





Rollin Rocks Corp is a premier support contractor providing transportation needs for Westchester Utility Contractors. We have professionally trained employees, 24 hour emergency services, light tower and road plate rentals, sweeping and restoration services.

914-930-1525 www.rollinrocks.com

ALBANY UPDATE

DEC Adds 241 Acres to Catskill Forest Preserve

ALBANY—New York State Department of Environmental Conservation Commissioner Basil Seggos announced recently the acquisition of 241 acres in the Catskills, including 208 acres adjoining existing Forest Preserve lands in the Bluestone Wild Forest that will preserve critical open space and expand recreational opportunities to support the local economy.

The purchases of the two properties were made possible through a partnership with the Open Space Institute and \$758,000 from New York's Environmental Protection Fund.

"New Yorkers will have new opportunities for outdoor recreation in the Catskills thanks to these significant acquisitions, which will expand our trail network to connect the Jockey Hill and Onteora Lake properties in the Bluestone Wild Forest and protect critical habitat in the Town of Wawarsing," Commissioner Seggos said. "We are grateful to our partners at the Open Space Institute and the Woodstock Land Conservancy."

The DEC acquired the former Aldulaimi property with \$675,000 EPF funds from the Open Space Institute Land Trust, Inc. This acquisition will link two previously disconnected sections in the state's Bluestone Wild Forest—the Onteora Lake and Jockey Hill parcels. Prior to DEC acquiring the property, OSI and partners constructed a new connector trail suitable for use by hikers, runners, and mountain bikers. The trail improvement plan sets the stage for creating regional connectivity of protected lands and permanently protecting a scenic, forested parcel for public enjoyment and recreation located in Ulster County.

In addition to the Bluestone Wild Forest acquisition, the DEC recently acquired another parcel in Ulster County from the Open Space Institute using EPF resources. The former Peckham property, a 33-acre addition to the Vernooey Kill State Forest in the Town of Wawarsing, was purchased for \$83,000 and will provide access to the Vernooey Kill Stream, a trout stream of regional importance.

Gov. Andrew Cuomo's 2020-21 enacted State Budget sustains EPF funding at \$300 million, the highest level of funding in the program's 25-year history. In addition, this year's budget added \$500 million to the state's already historic \$3-billion commitment to water quality improvements.

Improving conditions for everybody... everywhere.



The Construction Industry Council of Westchester and Hudson Valley is the leading professional trade organization, representing more than 600 contractors, suppliers, consultants and specialty firms. CIC works every business day with union leaders, developers, elected officials and owners of public works facilities to get the job done for everybody everywhere.

Construction Industry Council
629 Old White Plains Road
Tarrytown, NY 10591

Ross J. Pepe, President
(914) 631-6070 www.cicwhv.org

Safety Watch

Pre-Plan for Safety, Take Nothing for Granted

By GEOFFREYS. POPE, ESQ.

Public and commercial construction in the U.S. are usually marvels of order emerging from chaos. Midsize and large projects can take months or years to build. Those who do the building on a single project can span the gamut, from corporations domiciled in sleek offices with hundreds of employees to a specialty trade provider consisting of a single owner with some tools in a van and a laptop computer.

As the job progresses, many of the players will arrive, perform discreet tasks, and disappear and the choreography of activities—along with its associated safety hazards—can change from month to month or even day to day. Those who do



the physical work may speak dozens of different languages, and may (or may not) have ongoing relations with other entities who perform work on the project.

OSHA, under its “multi-employer policy” will hold

you, as a construction industry employer, responsible not only for violations that your company has caused, but potentially for conditions caused by others, to which your employees had access. While typically it is the general contractor or construction manager that takes the lead on safety planning and oversight, even if you are a small, specialty trade, with just a few employees, you may be held liable under OSHA, if the party nominally heading up safety activities drops the ball. Worse, you may have one or more employees injured or even killed if another actor

is not knowledgeable, energetic and scrupulous about ensur-

The liability of a municipality begins and ends with the fulfillment of its duty to construct and maintain its highways in a reasonably safe condition. No liability can be found, unless the municipality’s negligence in carrying out its duty is a proximate cause of the accident (although it need not be the sole proximate cause).

ing compliance with OSHA’s construction standards.

A case I came across this

month reminded me of the inadvisability of placing too much trust in others to follow sound safety practices. The case in question wasn’t a construction case, and the party that may have fallen down on the job was a prosperous county in downstate New York.

The case involved two young women, Abigail, 17, who was driving a car owned by the mother of her passenger, and friend, Kimberly, 19. One night (with two additional friends in the back seat) they made two

stops at convenience stores, where Kimberly made illegal purchases of alcohol. Driving apparently “buzzed” down a country road, Abigail was distracted by a controversy with Kimberly over which songs should play on the car radio, and swerved onto the median that separated the roadway’s east-bound and westbound lanes.

The median was V-shaped, with a steep slope downward toward the center. The errant automobile hit the opposite slope, turned over at least once, and came to rest on the median. Abigail, the driver, was injured.

Abigail brought a personal injury action against multiple defendants. As against the county, the theory of Abigail’s lawsuit was that the median had been constructed with a “non-recoverable slope,” and was therefore under a duty to provide safety equipment to aid the driver of an errant vehicle in regaining control.

The decision I read came from the New York Appellate Division, and modified the lower court’s determination by dismissing the lawsuit as against the vehicle owner (while affirming as to the dismissal of the action as against the convenience store owners, and the denial of summary judgment sought by Kimberly and the county).

As a municipal corporation, the county, in the field of traffic design engineering, enjoys a qualified immunity from liability arising out of a highway planning decision. It will be subject to potential liability for a highway safety planning decision only if its study of the condition was plainly inadequate, or its traffic plan lacked a reasonable basis. To qualify for such immunity, the municipal entity must establish that its discretionary determination was the result of a deliberate decision-making process, the responsible planning body having examined and passed upon the very same question of risk that would ordinarily be decided by the jury.

Please turn to page 18

DRUG TESTING WORKS

CLARITY
TESTING
SERVICES

Don't let substance abuse drain your Health and Welfare Funds...

**CALL TOLL FREE
1-888-LABMOBILE (1-888-522-6624)**





Congratulations to all who build our great country!

Welby, Brady & Greenblatt, LLP

Construction, Real Estate & Labor Law

Public/Private Bids and Contracts, Claims, Surety Law, Mechanic's Liens,
Environmental Law, Commercial Litigation, Real Estate Development,
Offering Plans, Labor Law, OSHA Violations, Arbitration and Mediation

Partners

Thomas H. Welby, P.E.
Gerard P. Brady, P.E.
Michael E. Greenblatt
Anthony P. Carlucci, Jr.
Thomas S. Tripodianos
Paul G. Ryan
Alexander A. Miuccio
Alan D. Singer
Gregory J. Spaun

Associates

Robert W. Bannon II
Frank Gramarossa
Jared A. Hand
Zachary A. Mason
Kriton A. Pantelidis
Matthew G. Petrosino
Michael Irwin Silverstein
Richard T. Ward III

Of Counsel

Donna M. Brady
Robert G. Corke
Lester M.A. Gultiz, P.E.
John J. Krol, P.E.
Geoffrey S. Pope

11 Martine Avenue, 15th Floor, White Plains, New York 10606
Phone: (914) 428-2100 • Fax: (855) 740-2860 • www.wbglp.com

NEW YORK • MANHATTAN • NEW JERSEY • CONNECTICUT

Safety Watch

The liability of a municipality begins and ends, however, with the fulfillment of its duty to construct and maintain its highways in a reasonably safe condition. No liability can be found, unless the municipality's negligence in carrying out its duty is a proximate cause of the accident (although it need not be the sole proximate cause).

Relevant to the case we are examining is that, while municipalities may be responsible to furnish safe guardrails, otherwise its duty, beyond the travel lanes and shoulders, only comes into play where it had actual or constructive notice (from a prior accident or other event) of a specific dangerous condition and failed to take reasonable corrective measures.

In the case under discussion, I was somewhat startled to read the police officer who responded to the incident testified that he had responded to other accidents in the same area, which (as the court found) ought to have put the county on notice that the slope of the median was potentially unsafe.

Because of this testimony, and because the county's witness was unable to state whether the median had a "recoverable" or "non-recoverable" slope (or complied with industry standards) the Appellate Division agreed with the plaintiff and the trial court that there existed a fact issue concerning the county's entitlement to qualified immunity, precluding summary judgment for the county.

The moral here is that you must not place too much confidence in people or institutions, or other contractors to pay sufficient attention to safety. And you should on every project make appropriate inquiries to ensure the safety of your

Continued from page 17

employees (and document your efforts).

By way of analogy to a construction scenario, OSHA Subpart T, 29 CFR § 1926.850, mandates that, prior to permitting employees to start demolition operations, an engineering survey of the structure shall be made by a competent person, to determine the condition of the framing, floors, and walls and the possibility of an unplanned collapse of any portion of the structure. Any adjacent structure where employees may be exposed must be similarly checked. The employer is required to have in writing evidence that such a survey has been performed.

Thus if no pre-demolition engineering is carried out, your company (in addition to all other trades as may be found to have had employees working on the premises) is at risk of being cited for failing to have it performed. This is so even if you are a follow-on trade, no one was relying on you to obtain the survey, nothing collapsed and no one got hurt.

In addition, your failure to have in hand evidence that the survey was performed is an independent (if arguably "Other than Serious") OSHA violation.

Given the risks of construction and the profusion of trades on most projects, communication is key. Many OSHA citations and many injuries can be averted even if one trade isn't shy about safety and asking questions.

About the author: Geoffrey S. Pope, Esq. is counsel to the construction law firm of Welby, Brady & Greenblatt, LLP. The articles in this series do not constitute legal advice, and are intended for general guidance only.



Retiree Health Benefit Solutions

Labor First is a full service "Retiree Benefit Manager" providing health benefits and support services to the Retirees of Organized Labor. The ability to structure post-retirement health care benefit solutions that reduce cost, lower liabilities and expand efficiency are the main reasons why plan sponsors and professionals trust to partner with Labor First to help manage their retiree medical and prescription drug benefit programs.



John Dulczak
Chairman & Chief Officer

300 Chester Avenue, Suite 300
Moorestown, NJ 08057
Phone (856) 780-6218 Fax (856) 780-6248
www.laborfirst.com

Read Financial Management Every Month in **Construction NEWS**

**Who's helping you build
your financial future?**



**Patrick A Di Cerbo CLU®,
ChFC®, CLTC, MSFS, CFP®**
Financial Representative
(518) 690-7961
patdicerbo.com



Northwestern Mutual®

05-3035 © 2013 The Northwestern Mutual Life Insurance Company, Milwaukee, WI (Northwestern Mutual).

\$15M Saw Mill Sewer Work

Continued from page 6

I am proud to promote the passage of this project through the Committee on Public Works and Transportation.”

Design work on the Saw Mill Relief Sewer Project will begin in 2020 after the Westchester County Board of Legislators approved a Bond Act to amend the 2020 Capital Budget, with construction starting in 2021. The work will include, but not be limited to: excavation and fill; tunneling; paving and other roadwork and the installation of sanitary sewer pipe and manholes.

Commissioner of the Department of Planning Norma Drummond said of the expedited project: “Protecting the quality of water in Westchester is one of our highest priorities and part of this is making improvements to our sewer infrastructure that was designed a lifetime ago. This Relief Project will help protect the local water for another lifetime.”

Financial Management

Continued from page 12

has furloughed employees or reduced employee hours.

The per-employee credit equals 50% of up to \$10,000 in compensation, including health care benefits, paid to an eligible employee after March 12, 2020, through Dec. 31, 2020. (Additional rules and limits apply, particularly regarding certain Small Business Administration loans received. If your company received the PPP loan, this particular credit cannot be claimed.)

The CARES Act also enables employers to delay payment of their share (6.2% of wages) of the Social Security payroll tax that would otherwise be due

on or after March 27, 2020 and before Jan. 1, 2021. They can pay the tax over the next two years, with the first half due by Dec. 31, 2021, and the second half due by Dec. 31, 2022.

The Road Ahead

Contractors have had to deal with unprecedented challenges because of COVID-19. Your CPA can help you navigate the road ahead.

About the author: Phillip Ross, CPA, CGMA is an Accounting and Audit Partner and Chair of the Construction Industry Group at Anchin, Block & Anchin, LLP. For more construction industry thought leadership and content, log on to www.anchin.com.

Attorney's Column

Continued from page 8

that regardless of the denomination of Eurotech's invoice as a “98%” or “substantial completion” invoice, the applicable test relates to the actual work performed, and left to be performed, at the project. Clearly, here, the 1,039 hours put in by Eurotech could not be credibly characterized as “minor punch list” or “incidental matters.”

There will undoubtedly be a case in the near future where the work put in after the statute of limitations date does not measure up to Eurotech's effort, and the call will be much closer than the one faced by the Eurotech court. Of course, if the lawsuit had been brought much earlier, then this issue

would have been avoided in the first place. Accordingly, it is important to consult with construction counsel to determine when your claims accrue, and when you should commence a lawsuit to protect your rights.

About the author: Thomas H. Welby, an attorney and licensed professional engineer, is General Counsel to the Construction Industry Council of Westchester and the Hudson Valley, and is the founder of, and Of Counsel to the law firm of Welby, Brady & Greenblatt, LLP, with offices located throughout the Tri-State/Greater Metropolitan Region. Gregory J. Spaun, an attorney and a partner with the firm, co-author this series with Mr. Welby.

Economic Outlook

Continued from page 15

construction workers by analyzing available national survey data. The employment numbers were estimated from the Current Population Survey, while medical conditions and other risk factors were obtained from the National Health Interview Survey.

In the past, construction workers were typically younger than the average U.S. workforce. However, in recent years this pattern reversed. The average age of construction workers jumped 3.5 years between 2006 and 2019, compared to an increase of 1.6 years in all industries combined. By 2012, the average age of construction workers exceeded that of workers in all industries, and it remained higher through 2019. The findings show that the aging workforce trend is continuing in construction. In 2019, about 1.4

million construction workers were 60 years or older. Moreover, certain medical conditions and other factors increasing risk for severe illness from COVID-19 are prevalent among construction workers, in part due to age. Together, workers with underlying medical conditions, other risk factors or older age (65+) account for nearly 60% of the construction workforce. This is a significant challenge for the construction industry since most construction jobs obviously cannot be done from home.

About the author: Michael J. Paton is a portfolio manager at Tocqueville Asset Management L.P. He joined Tocqueville in 2004. He manages balanced portfolios and is a member of the fixed-income team. He can be reached at (212) 698-0800 or by email at MPaton@tocqueville.com.



TOCQUEVILLE

Asset Management L.P.

Michael J. Paton

mpaton@tocqueville.com

212-698-0812

40 West 57th Street, 19th Floor
New York, New York 10019

CONTRACTORS SALES COMPANY INC. RENTALS

CALL US • 845-956-0222

TEREX
TRUCKS

ALLIED

Ram
mer

DYNAPAC

MIDLAND
MIDLAND MACHINERY CO., INC.

RAWSON

Link-Belt
EXCAVATORS

SANDVIK

HITACHI

- LATE MODEL, WELL MAINTAINED
- BACKED BY EXCELLENT PARTS & SERVICE SUPPORT
- COMPETITIVE RATES

VISIT US AT OUR NEW LOCATION • MIDDLETOWN, NY

CONTRACTORS SALES COMPANY, INC. • 1283 DOLSONTOWN ROAD, MIDDLETOWN, NY 10940

845-956-0222 • WWW.CONTRACTORSSALES.COM

Westchester Partners with CUNY for Innovative COVID-19 County Wastewater Treatment Study



Westchester County Executive
George Latimer

WHITE PLAINS—The Westchester County Department of Environmental Facilities is partnering with the City University of New York to study the wastewater at county treatment plants to better understand the impact of COVID-19 on large urban areas.

Recently, it has been discovered that traces of the SARS-CoV-2 virus can be detected in fecal matter, and therefore, in sewage collected at wastewater treatment plants. What the study will do is take random samples from various treatment plants to find evidence of varying infection rates among different communities, county officials explained.

The primary aim of the study is to understand the environmental and societal conditions that influence SARS-CoV-2 pandemic transmission chains in large cities, which requires unbiased

sequencing of a significant fraction of the virus-infected population.

Westchester County Executive George Latimer said when announcing the initiative on July 27, “In Westchester, we pride ourselves on being a leader for the nation when it comes to what county government can do. This partnership is another example of the innovative techniques we can use to advance our community—and encourage others around the country to do the same.”

The study will include unbiased sampling across major city subdivisions and deep sequence SARS-CoV-2 viruses recovered from samples obtained across NYC-area sewer sheds. The resulting sequence information will be combined with high-resolution socio-economic mapping to determine if genotypic diversity can be used to source track

pandemic transmission chains. In addition, the data will be collected to allow monitoring changes that the virus undergoes as it spreads through communities, and, importantly, to deliver tailored public health information at the municipal level.

DEF Commissioner Vincent Kopicki said, “Our department is excited to partner with CUNY to help find answers to the pandemic that has thus far only provided more and more questions. Under the County Executive’s leadership, this is another example of forward thinking use of all county resources.”

Dr. John Dennehy (Queens College CUNY), Dr. Monica Trujillo (Queensborough Community College CUNY) and Dr. Davida Smyth (The New School) are leading the project to detect and characterize SARS-CoV-2 in NYC-area wastewater.

Steiner Studios to Develop, Operate Film, TV Studio Facility in Brooklyn

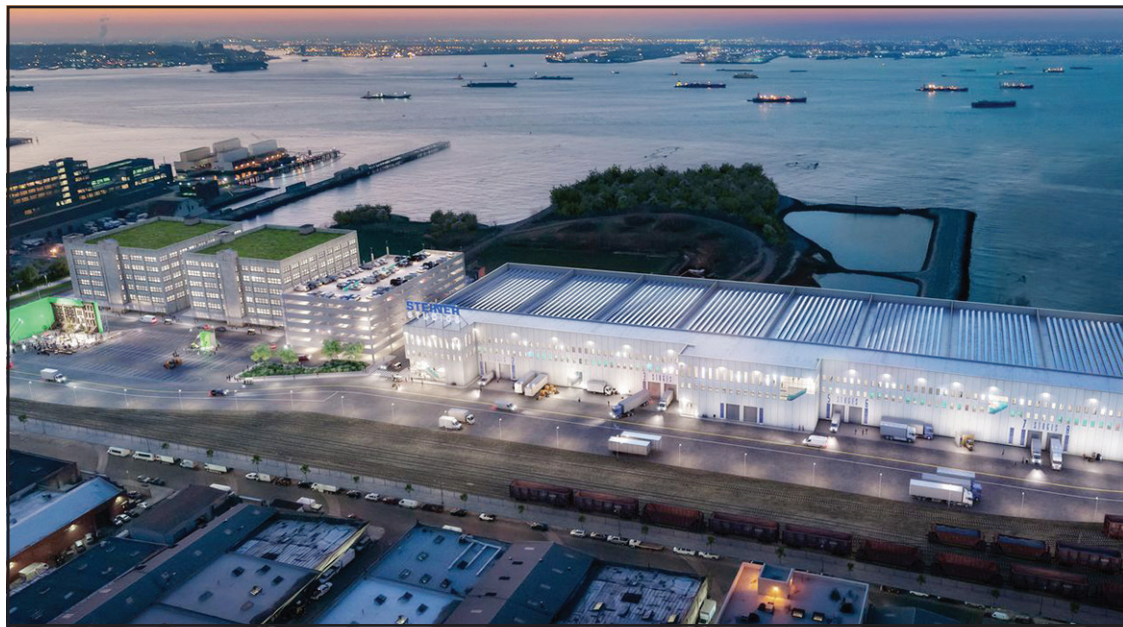
NEW YORK—Despite the gloom of COVID-19, some good economic news emerged on Aug. 13 when city officials announced plans to develop a more than \$300-million film and television soundstage facility in Brooklyn.

New York City Economic Development Corporation and the Mayor’s Office of Media and Entertainment announced that Steiner Studios, a Brooklyn-based soundstage operator, was selected to establish a 500,000-square-foot film and television production hub in Sunset Park.

The project will be established on the Made in New York Campus at Bush Terminal in Sunset Park. It will include eight new soundstages, gut-renovations of two historic buildings, and a new parking facility. Steiner will complete the adjacent Bush Terminal Piers Park, build a new playground designed with community input, and contribute \$25,000 annually to recreational programming in the park.

NYCEDC has signed a pre-development agreement with Steiner Studios for a long-term ground lease. In addition to the more-than-\$320-million in private investment, the City of New York will contribute approximately \$15 million towards site preparation work.

“Making sure that New York City’s economic recovery is



A rendering of the new 500,000-square-foot film and television production hub to be built in Sunset Park, Brooklyn.

both robust and fair requires us to couple investments in high-growth industries with demonstrated programs that increase workforce equity and inclusion,” said Vicki Been, Deputy Mayor for Housing and Economic Development. “Today’s announcement demonstrates that New York City remains a hub for both industry investment and economic opportunity. Thank you to New York City Economic Development Corporation, the Mayor’s Office for Media and Entertainment, and Steiner Studios for their commitment to helping to bring economic opportunities to the city that are diverse and accessible to all New Yorkers.”

Steiner Studios expects to

support 2,200 jobs upon project completion, including set builders, electricians, scenic artists, grips, propmasters, set dressers, hair and make-up artists and costume designers.

This investment is also expected to create at least 1,800 temporary construction jobs and comes with a goal of 25% participation rate by minority and women-owned business enterprises. Steiner Studios will also be required to recruit qualified candidates from the local community through NYCEDC’s HireNYC program.

In addition to creating thousands of jobs and new public open space, the project will focus on investing in the local workforce and on advancing

diversity and equity in the media and entertainment industry through the following investments:

- \$50,000 per year to advance opportunities in media and entertainment to New Yorkers of color and women through MOME’s highly successful Made in NY Production Assistant and Made in NY Post-Production job-training programs, ensuring that an additional 25 to 30 participants a year gain work experience, training, and connections to jobs.

- \$250,000 over 10 years to a non-profit organization supporting gender equity, diversity and inclusion in the New York City film and television production industry.

- Providing free office or classroom space for one or more non-profits that advance racial equity, diversity and inclusion in the production industry.

- Creation of a new, offsite local program for high school students to train for jobs in the production industry, with up to \$50,000 towards its establishment, plus \$25,000 per year for resources and programming and school year internship

opportunities.

- A summer internship program that will include two paid 10-week positions, focusing in the areas of stage operations, lighting and grip, and production facilities management. These will be filled through local community organizations.

“Businesses are not only here to stay, they are doubling down on building their future right here in New York City,” said James Patchett, president and CEO of New York City Economic Development Corporation. “Today’s significant investment by Steiner Studios represents a major milestone for both Sunset Park and the city. This project will bring thousands of locally-accessible and family-supporting jobs, expand training opportunities for New Yorkers, and bring greater equity and inclusivity to the media production industry. As we continue to focus on our economic recovery and building a more equitable New York, private sector partnerships like these will play a critical role.”

“TV production is a thriving industry in New York, and this project helps jump-start the city’s economic recovery and growth,” said Doug Steiner, chairman of Steiner Studios. “We’re beyond thrilled to have been selected, and to bring 2,200 high-paying jobs and opportunities to Bush Terminal.”

In 2017, Mayor Bill de Blasio announced the Made in New York Campus at Bush Terminal, including garment manufacturing, film/TV/media production and other light manufacturing and significant upgrades to the north campus. NYCEDC started construction on the garment hub renovation and north campus upgrades in February 2020. Construction was temporarily paused due to COVID-19, but has resumed as of July 2020.

Run in good company.

The Construction Industry Council represents over 500 contractors, material and equipment suppliers, specialty and service firms who compete in the region’s \$1.5 billion marketplace. From roads and bridges to utility, waste and water treatment systems, CIC-member companies and affiliated unions are dedicated to building and improving these public and private services. To make your company more successful in the construction industry, maybe it’s time you run with us.

For Membership Information, Call: **George Drapeau III, Director of Membership Services**
(914) 631-6070

Construction Industry Council of Westchester and Hudson Valley, Inc.
629 Old White Plains Road, Tarrytown, NY 10591

DODGE MOMENTUM INDEX

(2000=100, Seasonally Adjusted)

	Jul-20	Jun-20	% Change
Dodge Momentum Index	124.7	120.5	3.4%
Commercial Building	148.0	140.5	5.3%
Institutional Building	95.8	95.8	0.0%

Source: Dodge Data & Analytics

Dodge Momentum Index Recovering from COVID-19

HAMILTON, NJ—The Dodge Momentum Index moved 3.4% higher in July to 124.7 from the revised June reading of 120.5.

July’s increase in the Dodge Momentum Index was the first in all of 2020. Since December 2019, the Momentum Index had lost 18% with most of the decline coming in April when the COVID-19 pandemic led to numerous business shutdowns across the country. The pullback has largely come from institutional planning, rather than commercial plans. State and local government revenues have been squeezed as declines in economic activity have led to a drop in tax revenue just as costs related to the pandemic have skyrocketed.

The institutional component is currently 28% below its December 2019 peak and 21% lower than its year ago level. Commercial planning is down 13% from its January 2020 peak,

but is actually 1% higher than its year-ago level.

The Momentum Index, issued by Dodge Data & Analytics, is a monthly measure of the first (or initial) report for nonresidential building projects in planning, which have been shown to lead construction spending for nonresidential buildings by a full year. During the month, the commercial component increased 5.3% while the institutional component was unchanged.

In July, 13 projects each with a value of \$100 million or more entered planning. The leading commercial projects were the first two phases of the Centene Healthcare headquarters in Charlotte NC, with each phase valued at \$500 million. The leading institutional projects were the \$320-million Dignity Health Hospital in Elk Grove CA and the \$155-million first phase of the West Henderson Hospital in Henderson NV.

‘Keep Calm and Embrace the Chaos’

Continued from page 11
ness since the number two and number three industries (Advanced Manufacturing and Food and Beverage Processing) are core strengths for the county. Biotech and Life Sciences – 67% (down from 68% in April) Advanced Manufacturing – 51% (up from 29% in April) Food and Beverage Processing – 47% (up from 16% in April) Transportation and Logistics – 44% (down from 48% in April) Software and IT – 31% (up from 19% in April)

“One of the things that I think is very important for Orange County is in the Advanced Manufacturing and Food and Beverage Processing (sectors),” Ms. Caldwell said. “Those are unique opportunities for you as companies start to realign their supply chains and particularly with your access to such a large population base. I think that will be a big opportunity.”

Caldwell also pointed to another finding from the Site Selectors Guild survey that offers hope for an economic recovery on the horizon. Consultants reported an uptick in projects moving forward in June compared to April, with 61% of Guild members reporting that companies are moving forward with site selection projects, a 16% increase since April. Of Guild members surveyed, 34% said that companies are pausing site selection projects, and 5% reported companies are consolidating facilities or canceling site selection projects.

In closing, while Ms. Caldwell offered a simple mantra of “Keep calm and embrace

the chaos,” she pointed to a host of positive demographic data that makes Orange County attractive to business.

“I see that Orange County has a really good combination of both access to dense population, but also some wide open spaces where manufacturers can feel more secure that they are not going to have a negative impact on residences,” she said. Ms. Caldwell did offer one negative—high electric rates.

She concluded, “So, if I am looking at where Orange County can compete, you have an excellent workforce pipeline that has some very good skills; you have access to a large city and you have some existing clusters you can build on. And if I were you, I would be looking at projects that are more capital intensive, that are high-paying and use a smaller footprint than some of the mega projects and a lower energy usage.”

Global Location Strategies (is one of the world’s most experienced and reputable site selection firms specializing in intensive manufacturing and industrial facilities. GLS has conducted site searches in more than 50 countries for companies with particular concentration in pharmaceuticals, advanced manufacturing, chemical/petrochemicals, metals/polymers/composites, paper, and automotive. The company offers a full suite of site selection services, including location strategy, site selection, due diligence, and incentives negotiation. Economic development services include site readiness studies, industrial site identification and workforce analysis.

Prior to Caldwell’s presentation, Michael Gilfeather, president of Orange County Bank & Trust Co. and chairman of the Board of Directors of the Orange County Partnership related that business activity is increasing and the county and the Partnership must be prepared for change.

Orange County Executive Steve Neuhaus said that he was pleased with the pipeline of businesses looking to invest in Orange County and noted that the county is seeking increased interest from residents and businesses looking to escape New York City for the suburbs. He reported that the annual New York Air Show will be held in Orange County again this year, but the venue will be changed from New York Stewart International Airport in New Windsor to the Orange County Airport in Montgomery. He also touted the Request for Proposals that have been sent out by the county on the Camp LaGuardia property in Chester and Blooming Grove and three county-owned properties in the City of Newburgh.

Maureen Halahan, president and chief executive officer of the Orange County Partnership, reported that there are currently 55 active leads for firms interested in investing or relocating to Orange County, including 25 manufacturing firms, 11 distribution companies and two firms engaged in Agritourism. She added that there are also another 15 pending possible corporate expansions in the county and noted that despite the pandemic, 2020 could be one of the Partnership’s busiest years.

PEOPLE



From left, Richard Maroko and Peter Ward.

HTC’s Ward Retires; Maroko to Succeed

NEW YORK—After 41 years of distinguished service, the powerful Hotels Trades Council President and Local 6 Business Manager Peter Ward announced on Aug. 12 he was stepping down from both his union offices to begin his retirement.

Mr. Ward and all of the general officers enthusiastically recommended that the HTC and Local 6 executive boards, and Local 6 Assembly vote to appoint Richard Maroko, the union’s chief negotiator, lawyer, HTC recording secretary and Local 6 executive vice president to succeed him as the leader of HTC and Local 6. That recommendation was wholeheartedly moved, seconded and enacted unanimously by all three governing bodies, as prescribed in the by-laws of both HTC and Local 6.

Mr. Ward explained to the officers assembled in online meetings that he believed this current crisis was paradoxically the ideal moment for him to pass the baton. He said that Mr. Maroko had played a pivotal role in almost every major initiative of the union for a decade and it has been Mr. Maroko who has played the key role in winning the arbitration against the industry that extended its members health insurance for four months (six months for the GRIWA shops), spearheading legislation that required hotels to keep housekeeping and front desk employees safe and working, and also in envisioning and negotiating the Coronavirus Protocol Agreement which protects our members’ health and safety as hotels reopen.

Carlo A. Scissura, president & CEO of the New York Building Congress, said, “The New York Building Congress congratulates Peter Ward on his great legacy as a leader of the labor movement and thanks him for his tireless advocacy fighting for the hard-working people of New York City. Peter was integral to the success and growth of the hotel and hospitality industry over the past four decades. With the construction of the Brooklyn Health Center and his emphasis on healthcare operations, Peter transformed the union into a national model. As a longtime friend of the Building Congress and a partner in building a better and stronger city for everyone, we will miss having him at the forefront of this industry.”

Halmar Team Wins County’s Bundled Bridge Projects

Continued from page 1
the Hutchinson River Parkway stormwater system will be replaced and flood walls will be installed, along with a bypass culvert to convey precipitation from largest storm events directly into Pelham Lake, NYSDOT officials stated.

The new bridges on the Saw Mill River Parkway over the Saw Mill River will be elevated to meet 100-year flood projections. A 1.3-mile stretch of newly constructed roadway will be stabilized to divert water from the road and mitigate settling. During construction,

lane closures will be required on the parkway.

The U.S. Route 1 stone arch bridge over the Mamaroneck River in Mamaroneck will be reinforced and strengthened with a steel liner installed underneath the bridge. The structure supporting part of Harbor Island Park at the southeast corner of U.S. Route 1 and Mamaroneck Avenue will be removed and replaced. The park will be reconstructed. Two lanes of traffic in each direction will be maintained throughout construction, according to NYSDOT.

Read Attorney’s Column Every Month in Construction NEWS

Our Values Are Set In Stone.

DAKOTA

SUPPLY CORP

Affiliated with Bilotta Construction Corp.
~ Est. 1960 ~

Construction & Landscaping Materials.
Blacktop & Concrete Recycling.



The Right Hardscape
and Masonry Products
At The Right Price.

914-737-6637
www.dakotasupply.net
dscmason@gmail.com

Mason Yard
2097 Albany Post Road
Montrose, NY 10548
Monday - Friday
7am - 4:30pm
Saturday: (Apr - Nov)
7am - 1:30pm
Sunday: Closed

LOW BIDS

Verde, Constar, Perfetto Land NYSDOT Projects

ALBANY—The New York State Department of Transportation recently announced the selection of three apparent low bidders for work in the New York City/Hudson Valley regions.

Verde Electric Maintenance Corp. of Mount Vernon, NY was the lowest of four bidders at \$774,297.32 for signal optimization: wireless vehicle detection system in Dutchess, Orange, Rockland and Ulster counties.

Constar Inc., of Central Islip, NY was the lowest of three bidders at \$1,724,450.00 for safety improvements at exit ramps at various locations in New York City in the Bronx, Kings, New York, Queens and Richmond counties.

Perfetto Enterprises Company Inc. of Staten Island, NY was the lowest of seven bidders at \$860,625.00 for highway job order contract: Putnam, Rockland and Westchester counties.

ELQ Industries Wins Resurfacing Job in Downtown White Plains

WHITE PLAINS—The Westchester County Department of Public Works recently announced the selection of **ELQ Industries Inc.** of New Rochelle, NY as the apparent low bidder, besting three other bidders, at \$1,058,870.00 for resurfacing and related improvements, South Broadway and Post Road (C.R. #108) between Main Street and Mamaroneck Avenue, a distance of 0.38 miles, City of White Plains.

**Advertising in
Construction NEWS
Doesn't Cost!
It Pays!**

Call Peter Fiore at
914-631-6070 for information.


We Believe In You.



To all the dedicated
men and women who
are on the front line
helping to see us through
this time of need we say...

Thank You.

Construction Industry Council
Building Contractors Association
629 Old White Plains Road
Tarrytown, NY 10591- 5035
(914) 631- 6070
George Pacchiana, CIC Chairman
Fred Sciliano, BCA Chairman
CIC/BCA Boards of Directors and Members



BUILT BETTER.

BUILT SAFER.

BUILT UNION.



Eastern New York Laborers District Council:

Samuel Fresina, Business Manager

LOCAL 17, NEWBURGH, L. Todd Diorio, Business Manager

LOCAL 60, WESTCHESTER, Anthony Ascencao, Business Manager

LOCAL 157, SCHENECTADY, Ian Joshua Shaul, Business Manager

LOCAL 190, ALBANY, Anthony Fresina, Business Manager

LOCAL 235, WESTCHESTER, Dario Boccarossa, Business Manager

LOCAL 754, ROCKLAND COUNTY, Stephen Reich, Business Manager

The NYS Laborers offer:

- ✓ Quality workmanship
- ✓ Faster completion of projects
- ✓ State-of-the-art skills training
- ✓ OSHA-approved safety programs
- ✓ Certified environmental and hazardous waste workers
- ✓ Established member benefit programs
- ✓ Productive alliances



18 Corporate Woods Boulevard, Albany, New York 12211
 (800) 797.5931 • (518) 449.1715 • Fax: (518) 449.1621 • www.nysliuna.org



WORKER'S COMPENSATION + LABOR LAW CLAIMS CONTROLLED

FIND OUT HOW

**Supporting Construction in
the Hudson Valley**

**Available through
Hudson Valley Construction
Industry Partnership
with American Global**

**For more information contact
Jack Frazier at American Global
(516) 770-8671
Jack.Frazier@americanglobal.com**



American Global