



Construction NEWS



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Erin Vitale, CPC, chair of Civil Engineering Technology at Alfred State College, told construction executives and labor leaders that industry workforce demands are changing and that education institutions must also adapt. Speaking at the Fall General Membership Dinner of the CIC and BCA on Oct. 13 in Tarrytown, she said training in both the building trades and college construction degrees now enables people to “go on as far as they want in their careers.”

Employment Outlook:

Career Opportunities, Rapid Advancement Are Keys to Attract, Replenish Workforce

By JOHN JORDAN

TARRYTOWN, NY—While contractors in the New York metro region report they have at the moment enough qualified workers to meet today’s infrastructure and private development needs, the aging workforce in the building trades coupled with a projected 12% job growth in the sector over the next decade are rising concerns for employers anticipating future staffing demands.

Then there’s the likely surge of major federal, regional and state projects now in the pipeline that will require even more skilled workers. Among them are the Portal Bridge/Gateway Tunnel project linking New York City and New Jersey; the expansion of Route 17 to interstate standards in Orange and Sullivan counties; the MTA’s Penn Station Access project; Regeneron Pharmaceutical’s more than \$1-billion expansion in

Westchester County; and a possible expansion of the Empire Resorts Casino in Yonkers when downstate casinos are approved by New York State.

Three other sources from Washington that are likely to lift construction sector job growth include the reauthorization of the multi-year FAST Act federal transportation bill, a new \$1-trillion bipartisan infrastructure bill for highways and bridges that awaits a final vote in the Congress, and the “Build-Back-Better” soft infrastructure bill now being negotiated.

Given these many employment percolators, it’s time to ask, “Where will the workforce of tomorrow come from to fill the boots of the rank and file?” Massive infrastructure renewal and its concomitant employment demands do not bode well with a workforce that’s aging. The Brookings Institute reports that the

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State Gaming Commission Issues RFI For Three Downstate Casino Projects

By JOHN JORDAN

ALBANY—The New York State Gaming Commission has issued a Request for Information from interested parties for either developing or operating three downstate New York casinos in the New York metro region, which can only be viewed as good news for advocates of downstate casinos.

The RFI issued by the Gaming Commission on Oct. 20 states, “Respondents to this RFI should not anticipate award of a contract; this is an information gathering process only. This RFI is for planning purposes only and should not be interpreted as a solicitation for bids on the part of the State or the Commission.” Four upstate casino licenses have already been awarded by New York State, including the Resorts World



A Sure Bet for New York’s Future

Earlier in June of this year, Mount Vernon Mayor Shawyn Patterson-Howard was among the speakers advocating for the state to grant a full casino license to Empire City Casino in Yonkers.

Catskills Casino in Monticello, NY, which is owned and operated by Genting.

The issuance of the RFI follows the release of a report

detailing the impacts of downstate casino gaming and mobile sports betting by Spectrum Gaming Group in January 2021. The report found downstate counties show the greatest potential for growth in Gross Gaming Revenue, ranging from \$970 million to \$4.49 billion for New York City, and \$606 million to \$1.13 billion for Long Island. The potential of the New York City market could be captured by the addition of new gaming facilities, the report stated.

The Gaming Commission has set a deadline for the sub-

mission of questions concerning the RFI for Nov. 10, 2021 and for a submission to the RFI by Dec. 10, 2021. The New York State Gaming Commission per state statute has to prepare and distribute a report on the RFI to the governor and the State Legislature no later than six months from the Dec. 10, 2021 deadline. The statute was passed by the State Legislature and signed by then Gov. Andrew Cuomo in April 2021.

If the process does move forward, it could be assumed that a Request for Proposals could

be issued in mid-2022 and an award sometime thereafter. It should be noted that the state’s gaming law bans the award of downstate casino licenses until 2023. The measure was intended to allow the upstate casinos to establish a client base before they faced competition from downstate facilities.

The three casino licenses would be awarded to applicants in Zone 1, which consists of New York City and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester. Based on the submittals, the Gaming Commission is seeking to determine the appropriate size and scope of development, the value of the gaming facility

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Environmental Review of \$1.6 Billion Penn Station Access Project Completed

NEW YORK—The Metropolitan Transportation Authority announced on Sept. 27 that the environmental review process for the Metro-North Penn Station Access Project is complete.

The milestone makes four new stations in the Bronx as well as direct Metro-North service to Penn Station from the Bronx, Westchester, and Connecticut a step closer to reality. On Sept. 24, 2021, the Federal Transit Administration issued a formal Finding of No Significant Impact (FONSI) in accordance with the National Environmental Policy Act (NEPA), marking the conclusion of the environmental review.

"This is an important milestone for a project that will give people in several transit-deprived areas of the East Bronx access to jobs, education, health care and everything New York and Connecticut have to offer," said Acting MTA Chair and CEO Janno Lieber. "By making use of existing infrastructure, we are connecting people to these opportunities at a fraction of the cost it would take to build a new rail line. The next step is to award a contract to one team that will manage both the design and construction in a coordinated way to deliver the project on time and on budget."

"This project will be game-changing for Metro-North," said Catherine Rinaldi, president of MTA Metro-North Railroad. "In essentially one bold stroke it will allow the railroad to dramatically reduce travel times for a transit desert with a vast population of hundreds of thousands of people, and it will allow our busiest line to have a second destination in midtown Manhattan. We are already looking forward to opening day."

The project will bolster equity, regional connectivity and resiliency by delivering a new transit option for residents and workers in the East Bronx with four new fully accessible Metro-North stations, at Co-Op City, Parkchester, Morris Park and Hunts Point. The advent of train service to these stations will support the local economy and attract regional talent by increasing accessibility to underserved neighborhoods, cutting commutes, and introducing reverse commuting opportunities, MTA officials stated.

The project will use Amtrak's existing Hell Gate Line to access Penn Station, maximizing the potential of existing infrastructure, while minimizing impacts on the surrounding community. It will bring the Hell Gate Line into a state of good repair and improve resiliency and on-time performance for Amtrak passengers. The project also calls for the construction of new electrical substations, additional tracks within the existing line, work to renew bridges and

upgrades to Metro-North's New Rochelle Yard.

The MTA reported that procurement is underway to award a design-build contract to construct the Penn Access project which will dramatically reduce travel times for people traveling to or from the East Bronx. The project is estimated to cost \$1.6 billion.

Federal, state and county officials were in agreement that the project will be transformative for the region.

"Today is a great day for the future of mass transit access in the South and East Bronx and the Westchester Sound communities," said U.S. Sen. Charles E. Schumer. "The FTA has completed its environmental review of the Penn Access project, a critical step for MTA to advance to construction of the project connecting Metro-North with Penn Station, including new



A map detailing the Penn Station Access project. SOURCE: MTA

mass transit stops in the South and East Bronx—and direct connection to Penn Station for parts of Westchester. I will continue

to advocate for advancing this project and will push for federal grants key to its completion."

"As New Yorkers get back

to work and we rebuild our economy, we must expand critical access to safe and af-

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County Exec. Latimer Proposes \$476M Capital Budget Plan for '22

WHITE PLAINS—Westchester County Executive George Latimer unveiled a \$476-million capital budget plan on Oct. 14 that includes \$50 million for the funding of affordable housing projects in Westchester County and millions for wastewater treatment facility upgrades.

The proposal, now before the Westchester County Board of Legislators, also includes funding for roads, bridges, wastewater treatment plants and county parks.

Among the more notable items is \$4 million in funding to explore the future use of the Westchester County Center, which hasn't been used for recreation or events since the COVID-19 pandemic began last year.

The fourth proposed Capital Budget of his administration also earmarks investments in hybrid and electric vehicles,



From left, Westchester County Executive George Latimer hands off the proposed 2022 Westchester County Capital Budget to Westchester County Board of Legislators Chairman Ben Boykin.

and recreational facilities such as Playland, Memorial Field, and the completion of a continuous Bronx River Pathway from New York City

to Kensico Dam Plaza.

This budget proposal requests \$476.4 million in new appropriations on an all funds basis for 2022. This appropriations request breaks down as follows: \$291.9 million for general county purposes; \$152.4 million for the sewer and water districts; \$4.1 million for the refuse district; and \$28.0 million for Westchester County Airport.

Mr. Latimer said of the Capital Budget proposal, “Over the past four years we have made significant investments in our county’s infrastructure, while maximizing efficiencies to reduce costs, improved the county’s bond rating, and we have done all of this while cutting county property taxes for our residents.”

Year-to-date the county has expended more than \$119 million on capital improvements. The backlog of capital projects has also been reduced by \$400 million since Latimer took office in 2018. Over the past three years, Latimer’s Administration has made great strides to improve the capital program and increase efficiency. Administration officials pointed to the approval by the New York State Legislature, at the county’s request, to eliminate the \$10-million bond referendum cap, as one of the administration’s most notable accomplishments. The lifting of the bond referendum cap ultimately saves the county money by eliminating extra costs from breaking up projects unnecessarily into pieces, county officials stated.

Westchester County Budget Director Lawrence Soule said, “We have made progress toward improving the county’s Credit Ratings while continuing to invest in our infrastructure. Fitch Ratings recently removed the negative outlook (current rating AA+ Stable) on the county’s general obligation bonds citing the county’s strong underlying revenue growth potential and significant ability to implement

policy decisions that would close budget gaps and maintain very high financial resilience. They further state that the revision from negative to stable reflects their expectations that the county will maintain its improved financial resilience over time based on recent operating results that have bolstered general fund reserves. An improved credit rating has the positive effect of lowering the county’s borrowing cost for capital projects.”

“The 2022 Capital Budget proposed by Westchester County Executive Latimer is another significant step in his administration’s commitment to protecting and advancing the health, safety and mobility now enjoyed by the residents and the business and cultural enterprises that make Westchester their home,” said John Cooney, Jr., executive director of the Construction Industry Council of Westchester & Hudson Valley, Inc. “The CIC applauds Mr. Latimer and his team for its plan to allocate \$476 million for capital projects that include roads and bridges, water and sewer infra-

“Over the past four years we have made significant investments in our county’s infrastructure, while maximizing efficiencies to reduce costs, improved the county’s bond rating, and we have done all of this while cutting county property taxes for our residents.”

—Westchester County Executive George Latimer

structure, the county airport and other county-owned facilities and attractions.”

Mr. Cooney added, “Investment in our public works systems has long proven to be the leading force to create jobs and stimulate the economy. As we return to healthier and safer times, Westchester County government now has a great opportunity to reduce the lengthy backlog of needed infrastructure work projects. This budget proposal is both fiscally responsible and responsive to our immediate needs, and CIC calls upon the members of the County Board of Legislators to make this capital spending plan a top priority in the overall county budget for 2022.”

Economic Development

Under the 2022 proposed Capital Budget, over 2,000 permanent jobs will continue to be

supported in the county. Latimer said none of these strides would be possible without our partners in the construction industry.

Environmental Facilities

Major improvements are planned for the Mamaroneck and Yonkers wastewater recovery facilities in 2022. \$37.5 million is included for Mamaroneck for a variety of improvements including nitrogen and phosphorus removal to protect the Long Island Sound, emergency power systems and odor control. At Yonkers, \$22.6 million is included primarily for additional odor control measures and the completion of the methane recapture project that will allow the facility to generate approximately 70% of its energy needs.

Westchester County Airport

The Westchester County Airport is also included in the proposed Capital Budget with \$28 million in new appropriations for improvements to the potable and fire suppression water systems to ensure the health and safety of all employees and patrons at the facility.

Housing Investment

A total of combined \$50 million is budgeted for land acquisition and infrastructure improvements to support the development of affordable housing within the county. If approved by the Westchester County Board of Legislators, the 2022 Capital Budget would represent the largest single year commitment to affordable housing in county history.

Westchester County Planning Commissioner Norma Drummond said, “The county’s contribution to affordable housing helps to create strong communities where members of the workforce and community volunteers can live. We need to be able to house those that provide the services that contribute to our great quality of life all across the county.”

The Building & Realty Institute of Westchester of Armonk praised the Latimer administration’s investment in housing. The BRI stated that it hopes that the capital budget proposal will be swiftly approved by the Board of Legislators “as it presents affordable housing as a top priority for funding and will solidify the county’s commitment to the housing issue.”

Tim Foley, CEO & Executive Vice President of the BRI, said, “On behalf of the Welcome Home Westchester campaign, we applaud County Executive Latimer’s proposals in the 2022 Proposed Capital budget to support land acquisition and infrastructure improvements to help make it easier to develop new
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Attorney's Column

Existence of a Valid Contract Dooms Unjust Enrichment Claim

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

Unjust enrichment is a legal theory of recovery holding that no person should be allowed to unfairly profit at another's expense without making restitution or compensation to that person. The concept of unjust enrichment is often used in construction litigation as an alternative to breach of contract when a contract turns out to be invalid, or when there is no adequate remedy at law. However, as we can see from the recent case of *KST2 Properties, LLC v Pretree Construction Co.*, one must be careful in how to assert the claim because the existence of a valid contract will doom the unjust enrichment claim.

Background

In August 2017, Pretree Construction Co. was retained by KST2 Properties to perform construction work at eight condominium units that KST2 owned in Astoria, Queens. Toward that end, the parties entered into a construction contract that, amongst other things, required Pretree to obtain all required permits, and required certain



initial payments to be made to Pretree—which were made. At the time Pretree entered into the contract, it did not have the required insurance, and it could not immediately obtain the permits needed to commence construction. These permits were ultimately obtained eight months later, but Pretree performed no work and was subsequently terminated.

KST2 commenced a lawsuit to recover the up-front monies it paid to Pretree, and Pretree filed an answer with counterclaims for both breach of contract and unjust enrichment. The counterclaims specifically alleged that KST2 breached the contract by failing to make complete up-front payments, and that Pretree had incurred substantial costs for pre-construction services that were unjustly

retained by KST2.

KST2 filed a motion to dismiss Pretree's counterclaims alleging, insofar as against the unjust enrichment counterclaim, that it could not be maintained where there was a valid contract governing the subject matter of the claim.

Decision

The motion court denied KST2's motion and permitted Pretree's counterclaims to survive, finding that they were not "utterly refuted" by the documentary evidence, and were otherwise legally sufficient. KST2 appealed, and the appellate court reversed to the extent that it dismissed the unjust enrichment counterclaim. In doing so, the appellate court cited well-settled law that an unjust enrichment claim cannot be asserted where there is a valid contract, and that since Pretree alleged that "[KST2] failed to submit the payments as required by the contract," it specifically acknowledged that there was a contract which governed the subject matter, thus dooming the unjust enrichment claim.

The unjust enrichment claim may be appropriate where there is a potential issue as to whether the contract was properly entered into, or otherwise as to its validity—or where it may simply be economically beneficial to reject the contract and sue for market-value damages.

Comment

As the appellate court noted, unjust enrichment is not meant to be a duplicative claim of a breach of contract claim. However, the unjust enrichment claim may be appropriate where there is a potential issue as to whether the contract was properly entered into, or otherwise as to its validity—or where it may simply be economically beneficial to reject the contract and sue for market-value damages.

While courts generally permit claims to be asserted in the alternative, one must be careful not to assert the breach of contract claim in such a way that it prevents the contractor from recovering on the unjust enrichment theory, if it's more appropriate. Contractors would

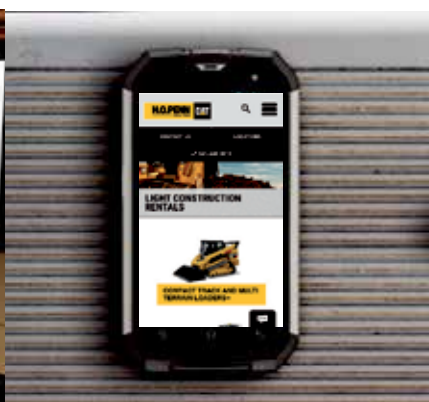
be well advised to consult with construction counsel to discuss their specific options of what claims to assert, how to best assert those claims—and when—so that all options are kept open.

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

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Construction Forecast:

Building Congress Expects \$174.1B In Spending Resurgence Thru 2023

NEW YORK—Following the steep drop in building activity across New York City in 2020, the next three years are expected to see a significant resurgence in spending and job creation as the industry continues to advocate for increased public investment. The New York Building Congress' New York City Construction Outlook 2021-2023 released on Oct. 14 forecasts spending to increase to \$60.6 billion in 2021, up 26% from 2020, when non-essential construction was shut down for 11 weeks.

The report was released at the annual Building Congress Construction Industry Breakfast at which Gov. Kathy Hochul delivered the keynote address.

"Each year I travel to every county in New York State, and I see how infrastructure is not just an abstract concept but an integral part of every New Yorker's life," said Gov. Hochul. "As governor, I will pursue an ambitious agenda that brings our infrastructure into the 21st century—because it's in our DNA as New Yorkers to dream big and tackle the impossible. We can't get that done without strong public-private sector partnerships like with the

New York Building Congress, and I look forward to continue working together to build New York's future."

"Despite the economic impact that COVID-19 has had on New York City since the start of the pandemic, the building industry proves its strength time and time again, as spending and job creation continue on an upward trend from 2020," said Carlo A. Scissura, president & CEO of the New York Building Congress. "With a long road to economic recovery ahead, the ever-present threats of climate change and infrastructure that's crumbling, we need meaningful, immediate support from Washington. Investments in the infrastructure are investments in a stable and vibrant city, state and nation."

Key insights from the report include:

• **Construction Employment to Increase:** The industry will likely add 135,000 new jobs to the economy in 2021, but employment will remain at the lowest point since 2014. Employment will likely continue on an upward trend in the coming years, with 140,200 jobs in 2022 and 157,100 jobs in 2023.

• **Overall Spending:** Construction spending is expected



New York Gov. Kathy Hochul gave the keynote address at the Oct. 14 New York Building Congress Construction Industry Breakfast on Oct. 14.

to total \$174.1 billion between 2021 and 2023. Compared to the pre-COVID-19 period of 2017 to 2019, when building was at a high point, spending is forecasted to decrease by just \$1.5 billion. When adjusted for inflation, however, the drop is a significantly higher \$38.2 billion.

• **Government Spending:** Government spending is up from 2020—when \$21.3 billion was invested by New York City, New York State and major agencies—but will decline in the forecasted

period from \$23.1 billion in 2021 to \$22.2 billion in 2022 and then to \$21.1 billion in 2023. While government spending is expected to be higher over this period when compared to 2017 to 2019, public investment is lower now than during the height of the Great Recession when adjusted for inflation. This decline is especially significant given the need for government spending to spur economic recovery.

• **Residential Construction Spending:** The Building Congress forecasts \$13.6 billion in

residential construction spending this year, up 21% from 2020. Over three years, spending is expected to total \$36.6 billion, which is down 33% from 2017 to 2019.

• **Non-Residential Construction Spending:** Non-residential construction spending, which includes office space, education, healthcare, public buildings, sports and entertainment venues and hotels, is projected to total \$23.7 billion in 2021, dip to \$22.2 billion in 2022 and rise to \$25 billion in 2023.

• **Public Transit Spending:** The MTA will spend 33% more on construction projects over the next three years than the pre-COVID period from 2017 to 2019. When adjusted for inflation, however, this is a more modest increase of 7%.

"It's clear that confidence in New York City's construction and real estate industries remains high, and for good reason," said Gary LaBarbera, President of the Building & Construction Trades Council of Greater New York. "Time and again, it's been major infrastructure and public works projects that have stimulated economic activity that leads to

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Next Gen Leaders



Profiles of the Industry's New Generation



Andres Rojas

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Computer Technical Assistant, Columbia Law School, New York City.

ACHIEVEMENT:

Louis G Nappi Scholarship, awarded in 2015-18.

EDUCATION:

Mechanical Engineering, Manhattan College, Riverdale, NY, BA 2019, MA 2020.

WHY THIS PROFESSIONAL CHOICE?

I was always good at making things, and solving problems in a technical world. I wanted to further explore that.

WHAT WERE THE BIGGEST SURPRISES WHEN YOU ENTERED THE FIELD?

Not everyone is technically adept, and I find that it is a challenge at times to explain matters.

WORDS OF WISDOM:

Don't focus on grades; focus on hands-on learning and discover how things actually work. Find the internship that best expands your knowledge and understanding.

GREATEST ACCOMPLISHMENT SO FAR:

Working with LiDAR (Light Detection and Ranging) Lidar sensors provide location information about a robot's surroundings.

THE FUTURE:

My goal is to design and build robotic control systems.

OUTSIDE INTERESTS:

Five-mile runs, working out, writing code, doing video art work.

Researcher and Writer—Alan Kennedy

The Louis G. Nappi Labor-Management Scholarship Program was named in honor of CIC Chairman Emeritus Louis G. Nappi.

Since the inception of the Louis G. Nappi Construction Labor-Management Scholarship Fund in 2009, more than \$700,000 has been awarded to 73 students sharing in a total of 170 grants over the years. This financial support has made possible tuition aid to attend some 50 colleges and universities throughout the United States.

"By awarding these scholarships, it is our vision—with labor and management united—to encourage the brightest students to consider and pursue careers in construction and engineering."
—Louis G. Nappi, 1920 – 2014

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OBITUARY

P. Gilbert Mercurio

Longtime Realtor CEO

By JOHN JORDAN

WHITE PLAINS—A man who for more than three decades was a driving force behind the growth and growing respect of the real estate industry in Westchester County, P. Gilbert Mercurio died on Sept. 27 at the age of 78.

He led the Westchester County Board of Realtors and its successor organization the Westchester Putnam Association of Realtors from 1980 through the end of 2011. Mr. Mercurio was well respected in the real estate industry as well as in political and business circles and was called upon by municipal, county, state and federal leaders for his business and economic knowledge and expertise.

In his last year as CEO in 2011 of WPAR, Mr. Mercurio supervised the preparations for the merger of the Westchester-Putnam operations with the Realtor organizations and multiple listing services representing Rockland and Orange counties, creating the 11th largest Realtor association in the USA with more than 9,500 individual members and more than 1,000 Realtor offices. The new entity, Hudson Gateway Association of Realtors, Inc., came into existence on Jan. 1, 2012.

Mr. Mercurio also penned an article in *Westchester Realtor* and its successor publication *Real Estate In-Depth* entitled “Up Front” for all 31 years of his association with the Westchester County Board of Realtors.

During Mr. Mercurio’s tenure with the WCBR and later WPAR the organizations were particularly instrumental in proposing and successfully advocating for strong consumer protection measures adopted in New York State including mandatory property conditions disclosure, mandatory real estate agency disclosure, higher standards for the licensing and continuing education of real estate licensees and mandatory special training in fair housing practices.

Hudson Gateway Association of Realtors CEO Richard Haggerty said, “He was a true visionary leader and one of the most intelligent and thoughtful individuals I have ever had the pleasure to meet. He was a friend and mentor to countless members as well as staff.” Mr. Mercurio strongly recommended Mr. Haggerty to the Board of Directors back in 2011 to be his successor.

Mr. Mercurio was very active in his Realtor association management profession. He served on many committees of the New York State Association of Realtors including Executive, Finance, and Legislation. He was the founding chairman of the Association Executives Committee of



Former Westchester County Board of Realtors CEO P. Gilbert Mercurio

that organization. He was a member of the State and Local Issues Committee of the National Association of Realtors and he held the Omega Tau Rho designation of that organization, signifying exceptional service.

From 1973 to 1980, Mr. Mercurio was Director of Research and Planning for the Westchester County Association and the World Trade Club of Westchester. Previously he was an urban planner for a private consulting firm as well as the Bergen County and Westchester County Planning Departments, the latter from 1970 to 1973, during which time he worked on and authored parts of the county’s initial master plan titled “Urban Form.” He earned a degree in urban planning from the Columbia University School of Architecture.

Mr. Mercurio had an extensive record of participation in the business and civic life of Westchester County including former service as a Director of the Westchester Housing Fund, Westchester Housing Forum, Westchester Equity Fund, and Westchester Partnership for Economic Development; Chairman of the Urban Centers Task Force of the Westchester 2000 project; President of a White Plains neighborhood association; member of the original County Commission on the Homeless, White Plains Planning Board, Housing Action Council, and White Plains Housing Information Service, among many other organizations. He also served as a trustee of the Westchester County Historical Society.

Mr. Mercurio was born on Aug. 2, 1943. A graduate of Regis High School and Columbia University, he was a 1968 combat veteran of the Vietnam War and was awarded the Bronze Star Medal and Army Commendation Medal. He married Sharon Kay Finley in 1970, who survives him. In addition to his wife, he leaves three children, Claudia (Alex), Curtis and Douglas; and five grandchildren.

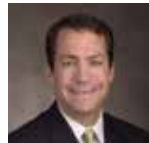
Services were held on Fri., Oct. 1, at the Ballard-Durand Funeral & Cremation Services in White Plains.



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Economic Outlook

Despite Commercial Building Decline, Contractors Are Optimistic for 2022

By MICHAEL J. PATON

The Dodge Momentum Index dropped 3% in August to 148.7 (2000=100) from the revised July reading of 154.0, according to Dodge Data and Analytics. This Momentum Index is a monthly measure of nonresidential building projects in planning, which have been shown to lead construction spending for nonresidential buildings by a full year. Projects entering the earliest stages of planning have declined following the torrid pace set in the spring.

The decline in August was the third consecutive drop in the Momentum Index, which is now off 14% from the most recent high in May. Since May the commercial component is down 10% and the institutional component is 22% lower. This reversal occurred as prices for materials used in nonresidential buildings increased in combination with a shortage of labor and a rising number of new COVID-19 cases from the Delta variant, all working in concert to undermine confidence in the fledgling construction recovery. There were some pockets of strength in August, however, as more data center, education and warehouse projects moved



into planning relative to the prior month.

Despite the recent declines in the Momentum Index, it is still too early to call this a retrenchment or a new cyclical downturn. Demand for nonresidential buildings remains weak, but the recent rising number of new COVID cases should not cause the same amount of disruption as previous waves did. As the economy continues to move forward, momentum will return to the construction sector and moderate growth in projects entering planning will return.

Another report, the Civil Quarterly, also from Dodge Data and Analytics, found that most civil contractors are optimistic about the volume of

work they expect in 2021 and 2022. Moreover, they anticipate both revenue and profit margin increases for their companies as a result. However, that optimism may be overshadowed by increasing concerns around skilled worker shortages, including an expectation of rising costs for talent and reduced skill levels in the available workforce. The study also finds that the volume of work for civil contractors has already increased, with 40% reporting increases to their backlogs, compared to 25% last quarter. This quarter also marks the second consecutive quarter of growth of backlogs to ideal levels after hitting a nadir in the fourth quarter of 2020.

The civil contractors outlook for the near future is also positive, with two-thirds expecting a strong market in the next 12 months. The positive trend continues with more than half of civil contractors expecting increased revenues in the next 12 months, and nearly half

anticipating that their profit margins will grow in that same time period. Considering the survey was conducted in the

three months is high, a 17-point jump from the fourth quarter of 2020. When looking at all contractors who will be hiring,

including those with more moderate needs for workers, 69% report that they expect a high degree of difficulty in finding workers, up 11 points from the fourth quarter. Yet the biggest concern is the cost of workers, with 81% of civil contractors anticipating the cost of skilled workers to increase.

The current study revealed that when it comes to training efforts, 13% of civil contractors take a minimal approach, while about a third have a strong ongoing training program for new workers as a long-term investment to increase their skills

for their company. Yet most recognize the importance of training their field staff in a variety of skills. More than three-quarters consider training on community, leadership and digital skills, along with site-specific safety issues, of moderate to high value for their field staff. The majority

Please turn to page 11

The civil contractors outlook for the near future is also positive, with two-thirds expecting a strong market in the next 12 months. More than half of civil contractors are expecting increased revenues in the next 12 months, and nearly half are anticipating that their profit margins will grow in that same time period.

first quarter of 2021, this optimism was likely based on the assumption of the national infrastructure funding bill passing Congress. However, this has led to striking increases in their concerns about finding skilled workers. Sixty percent of contractors say their need to hire skilled workers in the next

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Economic Outlook

Continued from page 10 (79%) relies on training from supervisors, but over half now take advantage of online training tools as well. Nearly all civil contractors (86%) see the need to draw more workers under 30 years old into the industry, with about two-thirds surveyed believing this younger talent brings different skills, such as the capacity for faster technology adoption and the ability to collaborate digitally, to their projects.

Finally, the study also re-examined the technology adoption trends first featured in the second quarter 2020 report. Even before the pandemic, the use of technology onsite has been an area of growing interest for many contractors. Two particular technologies—equipment tagging and utility detection tech—are a clear standout with notably wider adoption

in the first six months of 2021 than in all of 2020. Technology adoption for utility detection and drones has also seen a notable increase as they are now widely accepted and more widely used. However, technology adoption for virtual and augmented reality is still low as they are used by fewer than 10% of contractors. The wider use of onsite technology is important because of the positive impact it can have on productivity, which is the top benefit expected by contractors from their use of these technologies.

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.

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President Gary Hill of Union Concrete Construction Co., Joan McDonald of Westchester County and CIC Chairman George Pacchiana.



John Cooney, Jr., CIC Executive Director



Liese Hoffmann of Tilcon NY and Mike Keahon of Thalle Industries, Inc.



From left, Charlie Lucarelli of RCA Asphalt, LLC, CIC Board Member Charlie Androsiglio of Halmar International, LLC, and Constantine Quadrozzi, US Concrete New York.

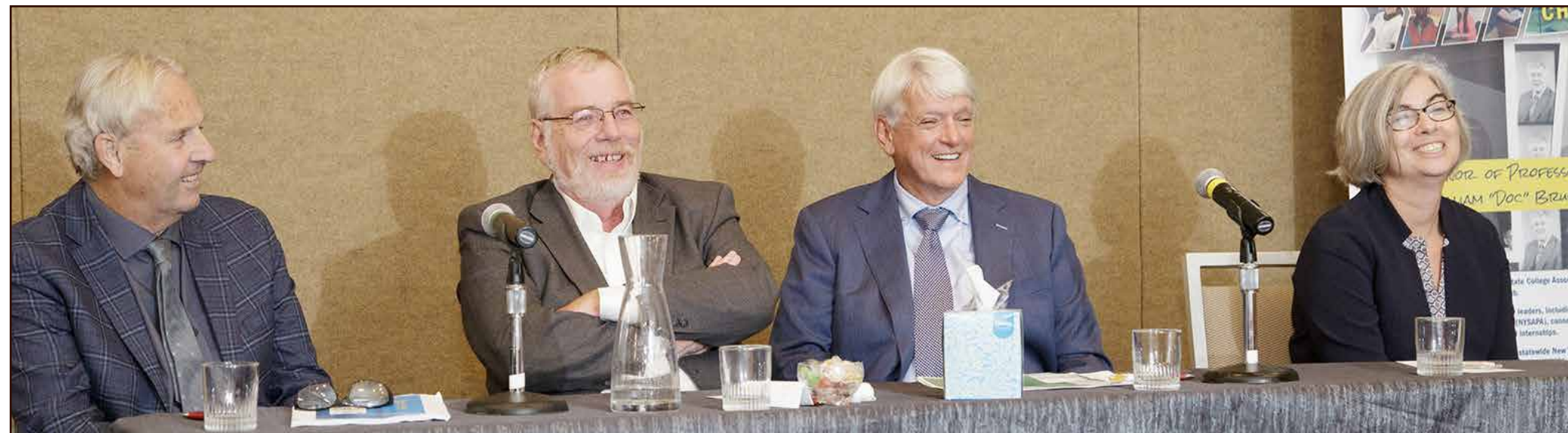


From left, Dean DiNatale of Pinnacle Industries II, LLC, and CIC General Counsel Thomas Welby, P.E., Esq.



From left, Don Linders of Brothers That Just Do Gutters and Tim Rice of the Graham Company.

Construction NEWS Photo Gallery



From left, guest panelist Gary Hill of Union Concrete Construction Co., Craig R. Clark, V.P. of Alfred State College, James Smith of Advance Testing Co., and moderator and keynote speaker Erin Vitale, CPC, of Alfred State College.

Career Opportunities, Rapid Advancement Are Keys to Attract, Replenish Workforce

Continued from page 1

median age of construction and building inspectors is 53. The average age for all construction workers nationwide is 42.5. Only 10% of construction workers are under 25.

To better understand these industry challenges, a seminar entitled "Future Workforce Development" was held Wed., Oct. 13 in Tarrytown, to provide insight and perspective on construction workforce trends. The program was held prior to the General Membership Meeting of the Construction Industry Council and the Building Contractors Association at the Westchester Marriott Hotel here. The event also featured Federal Reserve Bank Economist Jason Bram who provided detailed statistics on key labor trends affecting the economy and construction industry.

Erin Vitale, CPC, chair of Civil Engineering Technology at Alfred State College and the seminar's keynote speaker and moderator, explained that industry demands are changing and the education model must also adapt. College students can learn all aspects of the trades, including construction management, that will all lead to high-paying jobs upon graduation, she said. In fact, Alfred College also has articulation agreements with Clarkson and Syracuse universities to allow students to continue with their education to earn their MBAs.

"No longer is going to college to study the trades a dead-end educational proposition," she said. "People can go on as far as they want in their career."

The Workforce Development Seminar panel also featured Craig R. Clark, vice president of economic development at Alfred State College and executive director of the Allegany County Industrial Development Agency. In addition, James Smith, president and founder of Advance Testing Co., and Gary Hill, president of Union Concrete Construction Co., served as industry panelists, offering their personal perspectives as employers and company owners.

Ms. Vitale noted that the college's new Bachelor of Arts program for Construction

Management currently has approximately 50 students from all over the country. The college also offers a Bachelor's program in Architecture as well as a Bachelor of Science and Associate's Degree programs in Architectural Technology along with a five-year B-Arch program and other construction-industry related disciplines, including surveying and technology programs.

Ms. Vitale said that there are not enough graduates to meet the demand from the construction industry for highly trained, college-educated workers and management. In fact, she said that some firms are contacting freshman students to offer them positions with their firms "practically on the spot" or immediately after graduation.

She noted that the industry needs to do a better job marketing careers in construction along with the high-paying jobs it offers for entry-level workers. She stressed that the great careers as construction managers will be there waiting and available, with the proper training and experience, for the nation's youth coming out of high school.

"Our industry definitely needs some sort of major upheaval," Ms. Vitale said. Pointing to popular TV shows like ER, LA Law and CSI—all responsible for upticks in school enrollments in medicine, the law and criminology—she added, "Maybe somebody knows a Hollywood producer, but barring a construction (TV) drama, we need to bring in more kids to our program." Grassroots marketing and education are key, she stressed.

Celeste Frye, co-founder & CEO of Public Works Partners, LLC, a WBE/DBE/SBE-certified planning and consulting firm based in New York City, who was interviewed by CONSTRUCTION NEWS earlier, remarked after the presentations and comments that nationwide there is a workforce shortage in many industries, including construction. She agreed with Ms. Vitale that the industry must use new means to recruit more younger workers, including those from underserved communities.

She said that one of the industry's more attractive recruiting pitches is the sector's opportunity for advancement. Ms. Frye noted that in addition to high-paying, entry-level positions, the industry also offers well-paid positions in construction and project management posts.

"It's true that construction is a multi-generational industry," Ms. Frye added. "Many people go into construction the same way they go into first-responder jobs, because they have family members in the industry. I think expanding that (recruitment) to new populations is going to take marketing because if you don't have family in construction, you don't know the range of jobs."

Gary Hill, president of Union Concrete Construction Co. of West Seneca, NY, said that the construction industry requires a well-educated and diversified workforce. He noted that the recent trend with New York State Department of Transportation projects has been that DOT is letting more jobs but that these projects are much smaller in scope. Therefore, his firm and others in Western New York are working on a host of small NYS DOT projects at once, which requires its workers and managers to have multiple responsibilities.

Mr. Smith of Advanced Testing said that there are plenty of opportunities in the construction materials testing industry that also offer high-paying positions for qualified applicants.

Mr. Smith and Mr. Hill are both 1977 graduates of Alfred University's construction engineering technology program. All of the speakers promoted the planned state-of-the-art 'Doc' Bruce Construction Materials Laboratory at Alfred. A fundraising effort is underway to raise \$500,000 for the lab, and Mr. Smith reported the campaign has raised \$270,000 so far.

Donations by check can be made payable to: "Alfred State College Department Fund, Inc.," a 501(C)(3) charitable entity. Mail your gift to Alfred State/A Office-10 Upper College Drive, Alfred, NY 14802. You can also make a gift online at [AlfredState.edu/give](https://www.alfredstate.edu/give).



Westchester County Executive George Latimer, Business Managers Anthony Ascencio of Laborers L.U. 60 and Jeff Loughlin of Operating Engineers L.U. 137.

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The Workforce Development Seminar was led by Alfred State College officials.



From left, CIC Chairman George Pacchiana, CIC Board Member Jerry Argenio of Argenio Bros., Construction News Executive Editor George Drapeau and Frank Marchese, Sr., of New York State Laborers (ret).

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Safety Watch

'My Aching Back!' No More: Avoid Hazards From Manually Handling Materials

By GEOFFREYS. POPE, ESQ.

This month's column is inspired by materials I found online, published by the European Agency for Safety and Health at Work. OSHA's construction standards do not have a subpart dedicated specifically to ergonomic approaches to prevent or ameliorate lower back pain (which, in Europe, is said to be the #1 item among reported work-related disorders).

Although apparently this isn't an OSHA compliance issue, your company would do well to carry out assessments of how tasks are performed, provide training to your employees, and act to protect employees from cumulative harm to the musculoskeletal system over months and years of repetitive lifting and handling activities on the jobsite.

Generally described, your company should be doing the following:

- Designing and organizing tasks to avoid or limit the handling of materials manually;
- Employing automation and lifting devices;
- Where repeated lifting and manual handling cannot be avoided, organizing the work in a safe way, by dividing larger



loads into smaller ones, providing rest periods, etc.;

- Training employees in the correct handling of materials, including the opportune use of equipment, and how frequently-required tasks should be performed.

"Manual handling" can be defined as supporting or transporting a load by lifting, holding, putting down, pushing, pulling, carrying, or moving it. In the EU at least, just under two-thirds of all workers spend at least a quarter of their working hours performing such tasks, and (in addition to fatigue) two varieties of injuries may result. One includes sudden events, such as cuts, bruises, fractures, and the like,

and the other variety involves damage to muscles, tendons, ligaments, bones, joints, bursa (the small, fluid-filled sacs that reduce friction between moving parts in the body's joints), blood vessels and nerves.

What are referred to as musculoskeletal disorders are divisible into three groups: neck and upper limb disorders; lower limb disorders and back injuries and back pain. Most people experience lower back pain to some extent by age 30, and between one-quarter and one-half of construction workers complain of it.

The factors that make manual handling more or less hazardous fall into four groups: the load, the task, the environment and the individual. The risk of back injury increases if the load is too heavy (20 lbs.-25 lbs. is heavy for most people, especially if the load must be handled repeatedly), too large, difficult to reach or to grasp, unbalanced, or contains items within that move around. A basic rule is that items should be lifted and carried as close to

the body as possible.

Pushing and pulling generally impose fewer stresses on the body than lifting and carrying. Unbalanced loads are difficult to support, and sudden movement can throw the bearer off-balance. Gloves, handles

Your company should carry out a risk assessment, or examination of potential hazards from manual handling operations, consider carefully tasks, and locations where they are performed, that could produce accidents, injuries, or poor health.

or other aids for gripping can make it easier to maintain one's grasp. Loads that can only be reached with outstretched arms, or by bending or twisting the torso, may harm the spine, and carrying loads with sharp edges or dangerous materials is also to be avoided.

As for "the task," the same can be very rigorous, if carried out over and over for too long a period, or at a tempo that cannot be varied by the worker, or without sufficient rest periods.

The "environment" means factors such as the space available to carry out the handling, the condition of the floor or working level, climate and illumination. If a large load must be hefted in a tight space, awkward body postures may be required, which can require joints to be held close to their maximum range of movement, or result in a heavier load on the joints and spine and increased fatigue.

If the flooring is wet, uneven, or subject to moving (e.g., the deck of a fishing boat) handling materials becomes more difficult and accidents more likely. Temperature, humidity, and ventilation affect a worker's ability to carry out handling operations, especially if the same are to be repeated over the course of the workday. Poor lighting may increase the risk of an accident, or require the employee to work in awkward positions.

Naturally, individual factors also affect the likelihood of back injuries or other bad outcomes from handling operations. An employee's size, fitness, strength, lifestyle, age, medical history, experience, training, familiarity with the job and the tasks to be performed, and willingness to use personal protective equipment all affect his or her ability to perform handling operations and prospects of avoiding injury while doing so.

Your company should carry

out a risk assessment, or examination of potential hazards from manual handling operations, consider carefully the tasks, and locations where they are performed, that could produce accidents, injuries, or poor health. Evaluate whether procedures and precautions in place are sufficient to minimize risks of harm, and what additional measures might be taken.

Among other things, you should consider the practicability of eliminating the "manual" element of at least some manual handling, and reduce or avoid altogether employees having to lift, carry and move things, by instead using devices such as

conveyor belts, lift trucks, electric hoists or a gravity-powered roller track. Due consideration should be given to the potential downside, however (e.g., possible noise or hand-arm vibration hazards) from any alternatives being considered.

If the elimination of manual handling is not possible, or technical measures are ineffective in reducing the risks, you should next consider organizational or administrative measures. For example, heavier items could be lifted or carried by two people instead of one, or amounts to be handled could be reduced, or loads split into two or more smaller ones.

The pace of manual handling should not be set by a machine, supervisor or co-workers. The time for performing manual handling tasks should be extended by providing for breaks, or by alternating such tasks with other tasks, to allow muscles time to recover.

Pretty much all construction employees, even those who infrequently have to perform manual handling, should be trained in the correct techniques for lifting and carrying, and for pushing and pulling devices such as barrows and trolleys.

If your company has employees who must frequently perform manual handling, I commend to you NIOSH Publication No. 2007-131, "Ergonomic Guidelines for Manual Material Handling," which you can download online. It contains a wealth of information that will make their lives easier, more productive, and less painful.

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

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Skanska/Traylor Brothers Joint Venture Win \$1.6 Billion Portal Bridge Contract

TRENTON, NJ—New Jersey Gov. Phil Murphy announced on Oct. 12 that the NJ TRANSIT Board of Directors had approved a contract valued at nearly \$1.6 billion with Skanska/Traylor Bros Joint Venture for the construction of the new Portal North Bridge. The contract award is the largest in NJ TRANSIT history.

The \$1,559,993,000 construction contract for the project spans 2.44 miles of the Northeast Corridor line and includes construction of retaining walls, deep foundations, concrete piers, structural steel bridge spans, rail systems, demolition of the existing bridge, and related incidental works. Once construction begins, the construction contract is anticipated to take approximately five-and-a-half years.

The project, a critical part of the Gateway Program, will eliminate the critical issues caused by operation and maintenance of the existing swing bridge that have long plagued the most heavily transited portion of the Northeast Corridor.

“Few infrastructure projects are as critical to the nation as replacing the aging Portal Bridge,” said Gov. Murphy. “With today’s step, NJ TRANSIT is rapidly moving towards beginning the first phase of the largest infrastructure project in the United States. This award will not only bring a bridge that will resolve the long-standing bottlenecks plaguing New Jersey commuters, but will also create well-paying skilled labor jobs in the process. We would not be at this step today without our partners in the Biden Administration, NJ TRANSIT, the New Jersey Department of Transportation, our federal delegation, Amtrak, and the State of New Jersey.”

“This construction award, which is the single largest in our agency’s history, is the culmination of more than three years of hard work and determination by NJ TRANSIT and our project partners at Amtrak,” said NJ TRANSIT President & CEO Kevin S. Corbett. “NJ TRANSIT will soon begin construction on the most important infrastructure project in the nation next to the Hudson Tunnel Project, creating jobs and spurring economic growth for our region, and restoring dependable rail service to the millions of customers who count on this critical rail link between New Jersey and New York every year.”

The project is being funded by the US Department of Transportation, NJ TRANSIT and Amtrak. In January 2021, Gov. Murphy announced the signing of a Full Funding Grant Agreement which secured \$766.5 million in Federal Transit Administration funding to support the project’s construction.

In January 2021, NJ TRANSIT advertised the Invitation



A rendering of the new Portal North Bridge in New Jersey. A joint venture of Skanska/Traylor Brothers was awarded the contract valued at approximately \$1.6 billion.

for Bid (IFB) for the construction contract. The procurement was a two-step process, the initial step being the Special Pre-Qualification of Bidders. In May, NJ TRANSIT pre-qualified four bidders and conducted a pre-bid conference

and Disadvantaged Business Enterprise outreach. Two of the pre-qualified bidders submitted proposals on September 2. Skanska/Traylor Bros Joint Venture of Queens, NY was deemed the lowest responsible and responsive bidder.

“A new Portal North Bridge that won’t have to open and close for river traffic is vital to improving safety, speed and reliability in the busiest section of the Northeast Corridor,” said Amtrak Board Chair Tony Coscia. “Amtrak is pleased to

partner with NJ TRANSIT on this important project that will improve the daily lives of riders and put Americans to work.”

Portal North Bridge project is an important initial element of the broader Gateway Program which will eventually double rail capacity between Newark and New York. The project will eliminate the existing 110-year-old swing bridge which has been the enduring source of major service disruptions for NJ TRANSIT and Amtrak customers traveling on the Northeast Corridor.

The new bridge is a modern two-track, high level, fixed-span bridge that will improve service and capacity along this section of the Northeast Corridor. The new bridge will rise 50-feet over the Hackensack River and will allow marine traffic to pass underneath without interrupting rail traffic.

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Roads, bridges keep us moving

Mamaroneck to Receive Funding From \$1.5B in Ida-Impacted Relief

MAMARONECK, NY—U.S. Senate Majority Leader Charles E. Schumer announced on Oct. 6 that he had secured \$1.5 billion in disaster supplemental aid to fast track Ida-impacted Army Corps of Engineers (USACE) construction projects, which could jumpstart the long-delayed Mamaroneck and Sheldrake River Flood Risk Management Project.

Sen. Schumer explained the funding means the project could receive funding ASAP, bypassing several of the bureaucratic hiccups that have stalled construction for years. The project had been stalled for the past two years by the Trump administration based on what Sen. Schumer said was faulty cost-benefit analysis, despite strong support from the USACE, which would provide the boots on the ground necessary for construction.



U.S. Sen. Charles Schumer joined New York Gov. Kathy Hochul, left, and U.S. Sen. Kirsten Gillibrand, right, and other local officials last month to survey damage caused by Hurricane Ida in Mamaroneck.

Sen. Schumer visited Mamaroneck a day after Tropical Storm Ida hit the region to survey the damage caused by Ida and made a direct personal

appeal to Office of Management and Budget (OMB) Acting Director Shalanda Young to urge the agency to greenlight the Mamaroneck and Sheldrake

River Flood Risk Management Project. Residents living in the USACE project zone reported 14-feet of water flooding the area, forcing them to evacuate

their homes and seek shelter in the dead of night. There were more than 150 water rescues, 535 flooded homes, 1,000 people displaced and 310 abandoned cars. The village has reported more than \$18 million in damages and more than \$75 million in residential and commercial damage. Five Westchester residents also tragically lost their lives in the flooding, including one in Mamaroneck, bringing the total number of people who have died in Mamaroneck as a result of the persistent flooding to three in the past 25 years.

“Following the horrible flooding in Mamaroneck last month, which caused millions of dollars in damage, terrorized the community, and claimed the life of one person, I’m proud to deliver funding for Ida-affected communities, and am also pleased about getting the feds to finally greenlight the Mamaroneck and Sheldrake River Flood Risk Management Project,” said Sen. Schumer.

The project was first imagined in response to a 2007 Nor’easter storm, which produced record flooding in the Village of Mamaroneck. Sen. Schumer traveled to the area the day after the storm to personally survey the extent of the significant damage. The 2007 event caused more than \$50 million in damages and impacted more than 50% of total structures within the study area. The storm resulted in floodwaters peaking on the Mamaroneck River in approximately four hours, and in approximately six hours on the Sheldrake River. As such, the evacuation time for approximately 19,000 residents in the Village of Mamaroneck was severely restricted and created a high-risk situation. More than 40% of Mamaroneck residents required evacuation assistance prior to floodwaters peaking, including a large population of children that attending a school located within the epicenter of the severe flooding.

Following this, in March of 2010, a Design Agreement was signed by the Army Corps, NYS Department of Conservation and Westchester County for a Preconstruction Engineering and Design study. During this time, severe flooding again occurred during Hurricanes Irene and Lee in 2011. The flooding extended several blocks on both sides of Mamaroneck Avenue. The repeated disasters, including shoreline flooding from Superstorm Sandy in 2012, caused extensive damage and severely impacted the local economy. Following a \$4.7-million study by the Army Corps, the project was recommended by the Chief of Engineers and Sen. Schumer successfully fought to authorize this project for construction in the 2018 America’s Water Infrastructure Act. However,

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NEW YORK CITY UPDATE

DiNapoli: NYC Office Market Will Take Years to Recover from Pandemic

NEW YORK—The COVID-19 pandemic wiped out years of growth in New York City's office sector, erasing nearly \$28.6 billion in market value and more than \$850 million in property taxes in New York City Fiscal Year (FY) 2022. Timing its recovery is an open question, however, as employers continue to offer work-from-home options, according to a report released on Oct. 7 by New York State Comptroller Thomas P. DiNapoli.

"Midtown and the Financial District are two of the largest business districts in the world. Demand for space led citywide office sector property values to more than double in the decade before the pandemic," Mr. DiNapoli said. "When the pandemic hit, companies shifted office workers to remote work, rents fell, and vacancies rose. I am optimistic for the sector's recovery but it's short-term future remains uncertain as employers assess future use of the space. The city should closely monitor trends in the sector and consider the future impact on tax revenues."

Questions over the configuration of space and a potential uptick in per-worker square footage may take years to settle. The continuation of the pandemic, firmer changes to commuting patterns, increasing subleases and vacancies, and the return of demand for residential space are likely to influence conversations over the best use of physical space in the coming months and years.

The full market value of New York City office buildings, estimated at \$172 billion in FY 2021, fell 16.6% in the FY 2022 final assessment roll, the first decline in total office property market values since at least FY 2000, reflecting decreased demand brought on by the COVID-19 pandemic. The city had 463 million square feet of inventory as of the second quarter of 2021, accounting for 11% of all office space in the nation.

Pre-Pandemic Job Growth Drove Demand for Space

New York City's office sector reached a total of 1.6 million jobs in 2019, the highest level on record. Office sector employment makes up about a third of all jobs in the city, compared to a quarter in the rest of the state and the nation. In 2019, the sector contributed \$705 billion to the city's gross product, accounting for 66% of the city's output.

Most office sector workers in the city were well paid, with an average annual salary of \$183,900 in 2020. Even when excluding high earners in the financial securities sector, the average salary was \$145,290. This is higher than the citywide average (\$110,190) and much higher than the average for

non-office jobs (\$62,730).

In FY 2021 (assessed before the pandemic began), office property values reached \$172 billion and billable values (the market value on which property tax is levied) reached \$71 billion. Both had more than doubled over the prior 10 years. Office market values made up about 13% of total market values.

Office Space After the Pandemic

In 2020, office employment fell 5.7% while total employment dropped 11.1%. Many office workers shifted to remote work, with just 5% on-site in April 2020.

DiNapoli's report found that average asking rents showed little change in the early stages of the pandemic, but began to fall significantly in the fourth

quarter of 2020. By the second quarter of 2021, asking rents were down 4.2% from the prior year and vacancy rates were at 18.3%, a level not seen in over 30 years. The large volume of vacant office space has revived conversations about the conversion of some of that space into residential housing.

The office sector began experiencing measurable changes in demand in the second quarter of 2020 when Manhattan new leasing fell to 2.5 million square feet, 75% below the level one year earlier. Renewal activity fared better at 7.2 million square feet, a decrease of 15% from 2019.

Reduced demand for office space contributed to a 5.2% decline in overall billable values in

Reduced demand for office space contributed to a 5.2% decline in overall billable values in FY 2022, the first decline in more than 20 years. Some of the city's most expensive office properties dropped significantly. For example, the market price of the World Trade Center complex dropped by 23.1%.

FY 2022, the first decline in more than 20 years. Some of the city's most expensive office properties dropped significantly. For example, the market price of the World Trade Center complex dropped by 23.1%.

Tax Revenues

In FY 2021, the office sector provided an estimated \$6.9 billion in direct revenue in property taxes, real estate transaction taxes, mortgage taxes and commercial rent taxes. Property taxes from the office sector raise more than any other property type subcomponent (e.g., single-family homes or multifamily rental buildings). Office sector property tax collections alone surpassed the entire budgets of the city's Sanitation, Fire, Transportation, and Parks and Recreation departments, combined.

Commercial real estate such

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County Exec. Latimer Proposes \$476M Capital Budget Plan for '22

Continued from page 4

affordable housing throughout the county. The need for housing throughout our communities is critical, and the level of investment proposed by the County Executive Latimer rises to meet that challenge with the largest single-year investment in affordable housing. This \$50-million investment would be spread across a few programs with proven track records in supporting development costs, improving things like roads, water and storm sewer improvements, and other areas that make it safe and cost-effective."

Westchester County Parks

Westchester County Parks saw unprecedented demand during the pandemic and the County Executive has continued his commitment to improve and enhance this vital county resource, county officials stated. The County Executive's proposal also includes \$4 million to begin the process of re-imagining the Westchester County Center. The County Center has not had a major improvement since the 1980s, and an examination

of the entertainment space is needed especially in light of the COVID-19 pandemic.

Within the Westchester County Parks System, a combined \$45 million has been allocated for structural improvements to the Ice Casino at Playland and Playland Amusement Park.

Environmental Conservation/Transportation

The County Executive has earmarked: \$31.9 million in appropriations for the purchase of electric hybrid buses for the county's Bee-Line Bus System; \$4.3 million to begin the process of electrifying the county's two bus garages; \$1 million for the installation of EV charging stations at county facilities; and \$1.1 million for improvements at Hilltop Hanover Environmental Center.

The Westchester County Board of Legislators has received the proposed Capital Budget and will in the near future be given the proposed Operating Budget. The Board of Legislators are charged with passing the county budget by the end of December 2021.

Building Congress Expects \$174.1B In Spending Resurgence Thru 2023

Continued from page 7

recovery, and as always, our members are ready to get to work to build back New York stronger and more resilient than ever. It's critical that we sustain this upward trend in construction activity with the successful passage of the Bipartisan Infrastructure Framework, which will invest in New York's future and create tens of thousands of middle-class careers with benefits in the process."

"Real estate and construction represent 10% of the city's GDP and is the fastest way of creating the jobs to rebuild the city's economy," said Louis J.

Coletti, president and CEO of the Building Trades Employers Association.

The data and projections in the report were generated without the once-in-a-generation federal infrastructure bill that is being discussed in the House of Representatives, which would have a massive economic impact on New York City and the entire country. If the \$1.2-trillion plan was to pass, it would expedite construction of the Gateway Program—a long-delayed but nationally crucial infrastructure project that could potentially generate \$19 billion in economic activity, the New

York Building Congress stated.

The Construction Outlook report provides a three-year analysis and forecast of construction spending and employment in New York, while also providing deeper insight into the factors that could shape the industry and the city's economy in the coming years. The New York Building Congress for the first time also adjusted its projections for inflation, giving a fuller picture of how spending compares historically. The latest report forecasts the second-highest spending period in real dollars, and the fourth highest when adjusted for inflation.

Mamaroneck to Receive Funding From \$1.5B in Ida-Impacted Relief

Continued from page 16

in February of 2020 it was discovered that the Trump administration would not move forward with the construction of the project because of the Benefit-Cost Ratio used by OMB, sparking community concern and outrage.

Upon completion, the project would reduce flood risk for the Mamaroneck and Sheldrake River Basins and protect residents and business owners by constructing retaining walls and a diversion culvert. The project would also enable the deepening and widening of river channels, el-

evate structures, and remove/replace two vehicular bridges that constrict flood flow. The plan is estimated to potentially reduce average annual damages by approximately 87% and help reduce the risk of loss of life.

New York State Assemblyman Steve Otis (AD-91) and State Senator Shelley Mayer (SD-7) applauded Sen. Schumer's announcement securing the \$1.5 billion in federal supplemental funding to accelerate and fast track Army Corps of Engineers (USACE) construction projects impacted by Hurricane Ida,

including the "Mamaroneck and Sheldrake River Flood Risk Management Project."

In a joint statement, Senator Mayer and Assemblyman Otis stated, "This is the action we needed to restart this project that is vital to reducing flood risk in the village of Mamaroneck. Senator Schumer was with us here in Mamaroneck in September, and his effort to advance funding is greatly appreciated by everyone in the village. This news means that decades of cooperation among the federal, state, county and the village on this plan are going to move forward."

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Prospects of Invigorated Spending on Public Works A Signal to Review Readiness to Bid on Infrastructure

By PHILLIP ROSS, CPA, CGMA, PARTNER

As has been much publicized recently, there is a large amount of federal funding coming for physical infrastructure work, including roads, bridges, electric vehicle charging stations, tunnels and public transportation among other pressing needs. The funding largely targets transportation (including airports), utilities (including public high-speed internet) and pollution, which includes superfund sites.

In a fact sheet released by the White House called “The Need for Action in New York,” the Biden administration claims they will be making a historic investment in the State of New York. The need has perhaps never been greater, as commute times have increased more than 7% since 2011 and subways (COVID-19 aside) are growing more congested and delayed due to aging. Added to this, superstorms, hurricanes, flooding and other climate-related issues are stressing public and private infrastructure alike. New York alone has suffered more than \$100 billion in damages in the last decade due to storms.

Biden’s “American Job’s Plan” also details a planned \$300-billion investment in manufacturing, with a focus on innovative energy projects. They plan to provide incentives to companies that do these sorts of projects and are also funding and supporting the increased use and implementation of clean energy resources and eco-friendly buildings for both private and public construction projects.

Large housing projects could also be more prevalent in the near future, as the Biden bill includes grants that award funding to cities that curb prohibitive multifamily zoning laws to encourage new affordable housing creation, a major need in the New York area.

With both urgency and a large-scale availability of public funds, construction companies will likely see a great deal of activity in the infrastructure sector in the coming years. They should start planning now to bid and win this work.

However, bidding on public sector work is different than working with private owners and developers and there are things to consider.

Look to P3 Projects

Despite the availability of federal funds, they won’t cover the full cost of New York City’s infrastructure needs, and so state and city agencies will



look to ways to maximize both federal funding and their own. For years now, public-private partnerships have been gaining traction because of their ability to provide financial support for the building and maintenance of public infrastructure. By increasing private sector participation, projects are done more quickly and both the public agency and the contractor can share in the risks and rewards of the project.

One of the major ways these projects drive value up and costs down is by employing a design-build (D-B) delivery method. It’s important then to be able to communicate your firm’s D-B capabilities and how you’ve delivered these kinds of projects successfully, within budget and on time. If this is a burgeoning capability within your organization, then it’s highly important to ensure you have the leadership and project personnel with the experience to instill public confidence.

Register with City And State Agencies

Each city and state agency have their own processes, designed to foster competition, fairness and transparency. In keeping with this, contractors must register with various public agencies accordingly. For example, the City of New York now uses PASSPort as its online procurement platform, while the MTA has its own Contractor Portal, where all bidders must register.

In some cases, such as with the city, registration can be fairly complex. The NYC DOT, for example, keeps pre-qualified lists on contractors in two categories for bridges: Bridge Design and Construction Support and Bridge Resident Engineering Inspection. Within these two categories, the DOT has three additional lists for project sizes—i.e., small, medium and large. Firms can’t register for every list, so it’s important to assess what kinds of projects you can

deliver on and what’s worth your firm’s time.

M/WBE Bidding

Infrastructure projects are anticipated to create significant opportunities for New York’s Minority- and Women-Owned Businesses. For smaller New York State projects, there is surety bond assistance as well as some advantages when it comes to bidding that firms should consider. For bidding on any construction, reconstruction, alteration, repair, or improvement of a state building on projects under \$1.4 million, an M/WBE that bids within 10% above the lowest bid is considered the lowest bid. (Also important: if

your firm has not yet done so, it should officially register as an M/WBE if certified.) For non-M/WBE firms, it’s equally important to become familiar with M/WBEs in the market that have the scale and ability to perform work on the projects you’re delivering, as well as the

public agency requirements or incentives for diversity and inclusion on those projects. All

is an additional requirement for contractors that do public work. The contractor needs to

have an established surety program with an overall and individual jobs surety bond program/limit. There are many factors that go into establishing a surety bond program so it’s crucial to have this in place. It’s important for contractors to have a trusted surety relationship in place and work with them to determine the level of bonding needed to support the work they intend to bid on, as well as the related requirements.

Make sure your construction company strategically plans for the upcoming public work. Here’s to a better year ahead!

Infrastructure projects are anticipated to create significant opportunities for New York’s Minority- and Women-Owned Businesses. For smaller New York State projects, there is surety bond assistance as well as some advantages when it comes to bidding that firms should consider.

government-funded projects will have M/WBE compliance requirements.

Surety Bonds

Public-sector construction projects generally require surety bonds from their contractors to help ensure project completion. The surety bond

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.

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Regional Bid Alert

NYSDOT Region 8

Bid Letting Date: Nov. 4, 2021

New York State Department of Transportation
Contract Management
50 Wolf Road, 1st Floor, Suite 1CM
Albany, NY 12232

Contract# D264612
PIN# 806255
FA Proj.# Z0E1-8062-553

Project Description: Dutchess, Putnam Cos., Interstate 84 paving between Bowen Rd. overpass to CT state line.

Bid Deposit: 5% of Bid (~ \$750,000.00)

Goals: DBE: 10.00%

Bid Letting Date: Nov. 4, 2021

New York State Department of Transportation
Contract Management
50 Wolf Road, 1st Floor, Suite 1CM
Albany, NY 12232

Contract# D264623
PIN# 818323

Project Description: Orange Co., paving: Route 218, West Point Highway, and Old State Road—Village Of Highland Falls snd Town Of Highlands, Night Time Work.

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

Goals: MBE: 9.00%, WBE: 13.00%, SDVOB: 6.00%

NYSDOT Region 9

Bid Letting Date: Nov. 4, 2021

New York State Department of Transportation
Contract Management
50 Wolf Road, 1st Floor, Suite 1CM
Albany, NY 12232

Contract# D264621
PIN# 9WW021

Project Description: Broome, Chenango, Delaware, Otsego, Schoharie, Sullivan, Tioga Cos., Highway Where & When Contract 2021/22 NYSDOT Region-9.

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

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

Bid Letting Date: Nov. 4, 2021

New York State Department of Transportation
Contract Management
50 Wolf Road, 1st Floor, Suite 1CM
Albany, NY 12232

Contract# D264622
PIN# 9WW02A

Project Description: Broome, Chenango, Delaware, Otsego, Schoharie, Sullivan, Tioga Cos., Structural Where & When, 21-22.

Bid Deposit: 5% of Bid (~ \$40,000.00)

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

Bid Letting Date: Nov. 4, 2021

New York State Department of Transportation
Contract Management
50 Wolf Road, 1st Floor, Suite 1CM
Albany, NY 12232

Contract# D264573
PIN# 921330
FA Proj.# Z24E-9213-303

Project Description: Broome, Chenango Cos., Bridge Replacement of NY Rte. 79 over Chenango River in the Towns of Barker, Fenton and Greene.

Bid Deposit: 5% of Bid (~ \$750,000.00)

Goals: DBE: 10.00%

NYSDOT Region 10

Bid Letting Date: Nov. 4, 2021

New York State Department of Transportation
Contract Management

50 Wolf Road, 1st Floor, Suite 1CM
Albany, NY 12232

Contract# D264572
PIN# 0BCL21
FA Proj.# Z0E1-0BCL-213

Project Description: Nassau, Suffolk Cos., Bridge Cleaning Contract NYSDOT Region-10, Bid Deposit: 5% of Bid (~ \$375,000.00)

Goals: DBE: 6.00%

Bid Letting Date: Nov. 4, 2021

New York State Department of Transportation
Contract Management
50 Wolf Road, 1st Floor, Suite 1CM
Albany, NY 12232

Contract# D264397
PIN# 076078
FA Proj.# Z0E1-0760-783

Project Description: Suffolk Co., bridge replacement of Hospital Rd. over NY Rte. 27 in the Town of Brookhaven.

Bid Deposit: 5% of Bid (~ \$1,500,000.00)

Goals: DBE: 10.00%

NYSDOT Region 11

Bid Letting Date: Nov. 4, 2021

New York State Department of Transportation
Contract Management
50 Wolf Road, 1st Floor, Suite 1CM
Albany, NY 12232

Contract# D264585
PIN# X80601
FA Proj.# Z23E-X806-013

Project Description: Bronx, Kings, New York, Queens, Richmond Cos., ITS Field Network System maintenance and support throughout New York City.

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

Goals: DBE: 10.00%

Westchester County DPW

Bid Due Date: Oct. 27, 2021

Contract: 17-529 (\$100.)

Title: Pumping Station Rehabilitation, Crotonville Pumping Station, Ossining Sanitary Sewer District, Ossining, NY.

Description: The work under this contract consists of providing all necessary labor, material and equipment required for rehabilitation of the Crotonville Pumping Station in the Ossining Sanitary Sewer District in Ossining, New York. Work includes rehabilitation or replacement of various equipment and systems including pumps, motors, drives, controls, valves, piping, electrical, heating, ventilation, chemical feed and security systems, emergency generator, bar screen, and installation of flood hazard mitigation measures. Note: The Contractor is directed to the Special Notice regarding Project Labor Agreement (PLA).

Bid Estimate Range: \$8.2 million to \$9.0 million

MANDATORY PRE-BID INSPECTION: 10:00A, October 5, 2021; meeting at 100 Croton River Road, Ossining, NY. 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: John Coelho 914-995-5144.

New York State Dormitory Authority

Bid Due Date: Oct. 28, 2021

Title: City University of New York, Bernard M. Baruch College

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CR36 General Construction

Project Number 3275109999

Sealed bids for the above Work located at Baruch College, ITB Building, 151 East 25th Street, New York, New York 10010 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.

All individuals who plan to attend pre-bid meetings or bid openings in person will be required to complete and present a DASNY Visitor Covid-19 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 October 28, 2021 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: Alexandros Ladias, Project Manager, 17 Lexington Avenue, Suite 213, Room 212, New York, New York 10010, 646-660-6018, aladias@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 will be held on Thursday, October 14, 2021 at 10:30 AM at Baruch College, ITB Lobby, 151 Easy 25th Street, New York, New York 10010. Contact Alex Ladias at 646-210-1571. 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 June 17, 2021 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 June 17, 2021 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>.

Agency contact information may change without notice. Please check with the appropriate contracting agency for the most up-to-date contact information.

Dallas Firm to Build 200,000 SF Data Center In Rockland County

ORANGEBURG, NY—Dallas-based DataBank reported recently it had acquired 34 acres of land in Orangeburg and will build its fifth data center in the New York metro area.

By purchasing the property, which includes a utility-owned substation capable of providing up to 45 MW of utility power, DataBank states the project will further its strategy of owning and controlling the real estate beneath its data centers, and accelerates the pace at which it can bring online new capacity. DataBank plans to construct a new 200,000-square-foot data center with 150,000 square feet of raised flooring, offering 30 MW of critical power via five 6 MW data halls.

The company also announced that there is room on the campus to add future expansion facilities, including an additional substation.

The new facility will be tethered to DataBank’s highly interconnected sites in New York City’s “Silicon Alley” neighborhood and New Jersey (60 Hudson St., 111 Eighth Ave. and 165 Halsey St.). No development cost for the Orangeburg project was released.

“The investment in this new campus responds to the New York City metro area’s need for colocation, connectivity, and cloud services, solidifying its status as a prime location for enterprise-class data centers,” says Raul K. Martynnek, DataBank’s CEO. “With this acquisition, DataBank will bring to the nation’s largest market both high-value IT operations jobs and the reliable IT infrastructure our customers need to create a limitless digital future for their business.”

“The site will be ideal for hyperscale-compute providers and web-scale content and application providers to expand workloads in the densely-populated metropolitan area,” added Stephen Callahan, EVP of Sales for DataBank.

DataBank’s infrastructure platform provides colocation, cloud and network services across its more than 60 data centers, modular/micro data centers and 20 neutral interconnects.

Rockland County has become a hub for data center projects. Among the data center ventures developed in the county include projects by Bloomberg, fifteenfortyseven Critical Systems Realty and JP Morgan Chase.

DiNapoli: NYC Office Market Will Take Years to Recover from Pandemic

Continued from page 17

as office and retail buildings account for an outsized share of tax collections because they are assessed at a much higher rate than residential properties. In FY 2021, office buildings accounted for 12.6% of the market value of properties on the assessment roll, but more than a fourth (26.2%) of the billable taxable values at \$71 billion.

The city collected \$1 billion in transfer taxes and \$816 million in mortgage taxes in FY 2021, the second year of declines as a result of pandemic impacts.

DiNapoli estimates that \$216 million of these taxes were generated by office properties, less than half of the \$461 million generated in FY 2020.

Looking Ahead

Office employment has remained steadier than overall employment and is expected to continue to grow, which is likely to support future demand for space. Multiyear leases extending into 2023 and healthier balance sheets of property owners have also provided some short-term stability in the office real estate market.

The city’s tentative assessment roll for FY 2023, to be released in January 2022, will provide further insight on the potential duration and magnitude of the impact on city finances.

Mr. DiNapoli urged the city to monitor the overall employment and real estate markets, including differences in submarkets, to deliberate carefully over its choices to influence office employment and space, and to ensure that policy decisions will mitigate negative impacts on tax revenue and the economy.

Environmental Review of \$1.6 Billion Penn Station Access Project Completed

Continued from page 3

fordable public transportation for everyone,” said Sen. Kirsten Gillibrand. “I am pleased to see this project move forward—it puts us one step closer to reducing travel times for countless Bronxites who rely on Metro-North to get where they need to go.”

“The completion of the environmental review is a great step forward for the Metro-North Penn Station Access Project,” said Bronx Borough President

Ruben Diaz Jr. “For nearly a decade, I have been beating the drum on direct access to Penn Station from the Bronx, and now, this form of transportation in the East Bronx is one step closer to becoming a reality.”

“The completion of the environmental review for Metro-North Penn Station Access means we are one step closer towards completing a project that will be life changing for Westchester residents who live along the Sound Shore and

commute to the Bronx or parts of Manhattan for work,” said Westchester County Executive George Latimer. “For the first time ever we will be able to create a one-seat ride into Penn Station, opening up greater access to jobs, education and health care, all while improving the commute and making these communities more desirable to live in. I thank the MTA for their hard work on this—we cannot wait to see this project come to fruition.”

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LOW BIDS

Argenio Brothers, PCI, Limnes Win NYSDOT Project Work

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

PCI Industries Corp. of Mount Vernon, NY was the lowest of six bidders at \$3,170,200.00 for highway repair where and when NYSDOT Region 8 in Columbia, Dutchess, Orange, Putnam, Rockland, Ulster and Westchester counties.

Argenio Brothers Inc. of New Windsor, NY was the lowest of six bidders at \$6,329,329.00 for asphalt milling and paving on Route 17M in the Village and Town of Goshen and Town of Wawayanda in Orange County.

Limnes Corp. of Franklin Square, NY was the lowest of 10 bidders at \$7,960,999.00 for bridge painting at various locations throughout Columbia, Dutchess, Orange, Putnam, Ulster and Westchester counties.

HVB Construction, Grace Industries Nab Thruway Work in NY Division

ALBANY—The New York State Thruway Authority reported recently the selection of two apparent low bidders for work in the New York Division.

HVB Construction Inc. of Harriman, NY was the lower of two bids at \$2,978,650.00 for on demand repairs to Thruway infrastructure in the New York Division in Bronx, Orange, Rockland, Ulster and Westchester counties.

Grace Industries LLC of Melville, NY was the lower of two bids at \$8,494,250.00 for pavement repairs at various locations on the New England Thruway (I-95) from MP NE 0.17 to MP NE 14.10.

PCI Industries, Spectraserv, Icon, Land Westchester DPW Projects

WHITE PLAINS—The Westchester County Department of Public Works reported recently the selection of three apparent low bidders for work in the county.

PCI Industries Corp. of Mount Vernon, NY was the lowest of five bidders at \$1,807,000.00 for roadway milling, resurfacing and additional improvements, Croton Point Avenue (C.R. #7A), Brook Street/Harney Road (C.R. #2) and North State Road (C.R. #154), a total distance of 1.16 miles in the Village of Croton-on-Hudson and towns of Eastchester and New Castle, NY.

Spectraserve Inc. of South Kearny, NJ was the sole bidder at \$674,000 for cleaning of sludge storage tanks and digesters at the Yonkers Joint Water Resource Recovery Facility in Yonkers, NY.

Icon Contracting Group, Inc. of Harrison, NY was the lowest of seven bidders at \$775,000.00 for F-Unit roof replacement, Jail Division at the Norwood E. Jackson Correctional Center at the Valhalla Campus in Valhalla, NY.

RFI For Downstate Casinos

Continued from page 1

license and the process that should be used in the award consideration.

Frontrunners for the downstate licenses, should the process move forward, include two existing gaming facilities—the Genting-operated Resorts World New York City at Aqueduct Racetrack in Queens, as well as the MGM Resorts-owned Empire City Casino in Yonkers. Both facilities are Video Lottery Terminal gaming facilities and are not full-fledged casinos. Genting is also moving forward on another VLT facility in the City of Newburgh in approximately 90,000 square feet of space at the Newburgh Mall.

The New York Post has reported that Bally's Corp., Wynn Resorts, and Las Vegas Sands are all expected to compete for a New York City-area casino license.

Former Gov. Andrew Cuomo in his State of the State address in January reported that he intended to issue a Request for Information for interested parties

in securing up to three of the remaining casino gaming licenses in Downstate New York (New York City metro region) to be granted by New York State. However, the State Gaming Commission at the time had no comment on the governor's statement.

A group of 60 business and labor organizations called "A Sure Bet for New York's Future" lobbied state lawmakers earlier this year to have the downstate gaming award process move forward and award one of the casino licenses to the Empire City Casino in Yonkers.

The granting of a full gaming license to Empire City could fuel significant economic growth and jobs to the region. A spokesperson for Empire City Casino told CONSTRUCTION NEWS earlier this year that if awarded a full gaming license and sports betting access, Empire City Casino owner MGM Resorts has committed to spend approximately \$400 million in the first phase of its planned investment at the Yonkers property.



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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

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