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CONSTRUCTION NEWS



Vol. 41 No. 2

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Forecast 2025

Robust Pipeline of Highway, Bridgework, Sewer, Energy, Transit to Power Sectors, Trades Report

By JOHN JORDAN

TARRYTOWN, NY— Despite economic and political uncertainties of the past two months caused by pronouncements and actions in Washington, regional construction officials are steadfast in their forecasts that once milder weather arrives in the coming weeks, crews will take up significant project work in all sectors: highway, bridge, energy, school and private construction projects.

CONSTRUCTION NEWS spoke with Building trades officials from Westchester-Putnam, Rockland County and the mid-Hudson Valley regions for their take on the pulse of the market in 2025. See page 16 for a lengthy list of projects.



Infrastructure projects will fuel significant work for the Building Trades in 2025. Above, crew members with Montesano Brothers perform mill and repaving as part of a \$5.5 million project in Rye, NY for Westchester County.

Westchester, Putnam Counties
Jeff Loughlin, President
Building & Construction Trades
Council of Westchester & Putnam
Counties, Inc.

Mr. Loughlin said 2025 is a year of challenges ahead. Set against a backdrop of two years remaining on the five-year, \$1.2 trillion Infrastructure Investment and Jobs Act that President Biden passed on to the new administration, there is still "plenty of money left to be allocated. Whether the states get to spend their authorizations is another question and a big uncertainty," he observed.

An analysis from the Brookings Institute think tank notes that money hasn't necessarily hit jobsites yet,

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Gov. Adds \$800M to Budget To Fill Capital Program Gap

By JOHN JORDAN

ALBANY—It took more than four years of urging from a committed and well-prepared triumvirate of construction executives, organized labor and regional elected officials to finally address the multi-year shortfall in New York State's capital transportation budget that has been caused by an erosion of purchasing power from inflation and advancing deterioration.

On Tues., Jan. 21, in her 2026 Executive Budget message, Gov. Kathy Hochul included \$800 million in additional funding for roads and bridges statewide. The boost is expected to tackle the backlog of roadway and bridge work, particularly in the Hudson Valley, and it has the support of key leaders in the State Assembly and Senate. Budget negotiations between the Executive Of-

fice and the state Legislature will extend through March to meet the start of the new fiscal year on April 1.

A broad statewide coalition of the contracting community, organized labor and transportation advocates, united under the banner of the New York Roadway and Infrastructure Coalition (NYRIC), noted that based on data compiled and reported by the New York State Department of Transportation (NYSDOT), "the system is in a state of substantial decline, and it is imperative that immediate steps are taken to rectify the situation."

In budget testimony last month, NYRIC officials urged state officials to stop further deterioration of state transportation assets through a three-point recommendation:

• **Acknowledge the Ongoing Inflationary Pressures**

on the Upcoming Year of the NYSDOT Capital Plan:

To counter the unprecedented inflation impacting construction costs, we urge you to support the additional \$800 million for 'core' projects included in the SFY 2025-26 Executive Budget Proposal.

• **Adopt a formal Twenty-Year Needs Assessment Process for NYSDOT:** Based

Please Turn to Page 17



Mid-Winter Meeting of Industry Execs Convenes at Ritz-Carlton in Naples, FL

The celebrated icon, the recently transformed Ritz-Carlton, Naples, will host more than 200 delegates and guests of the Hudson Valley Construction Industry Partnership's 15th Annual Mid-Winter Convention to be held February 25 - March 1. See Speakers and Sponsors, pages 13-14.

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MTA Capital Plan Would Spur \$106 Billion For State Economy, \$6.1B for Hudson Valley

NEW YORK—The MTA Capital Plan for 2025-2029 will generate \$106 billion in economic activity and more than 70,000 jobs statewide according to a new analysis conducted by EY, and commissioned by the Partnership for New York City.

The report was released on Jan. 23 at the annual meeting of the New York Building Congress, attended by more than 500 construction industry and union leaders. The analysis describes the impact of the MTA's proposed capital investment if the plan is approved and fully funded during budget negotiations between the governor and the state legislature.

The MTA plan proposes investing \$68.4 billion in capital improvements and state of good repair of the regional mass transit system. If fully funded, the 2025-2029 Capital Plan will generate new economic activity for all 10 regions of the state. More than one in four jobs will be created outside of New York City, and the average direct labor income would be roughly \$119,000 per worker.

While most of the direct spending will be in New York City, Long Island stands to gain more than \$7.5 billion in GDP and over 10,400 jobs. The other regions will also realize substantial benefits, including:

\$6.1 billion in GDP and an estimated 9,160 jobs in the Hudson Valley; \$50 million and 90 jobs in the North Country; \$120 million and 200 jobs in Western New York; \$80 million and 140 jobs in the Finger Lakes; \$60 million and 100 jobs in Central New York; and another \$60 million and 100 jobs in the state's Southern Tier.

"This analysis indicates that fully funding the MTA's proposed capital program will be a 'win-win' that will catalyze critical improvements in transit service and provide a major boost to the state's economy," stated Kathryn Wylde, president & CEO of the Partnership for New York City. The study was conducted by EY (Ernst & Young Global Limited).

"This new report confirms what we've been shouting from the rooftops for years: Fully funding the MTA's proposed Capital Plan will pump \$106 billion into New York's economy and create 72,700 jobs—over 18,000 of them outside the city. From Long Island to the North Country, this plan delivers a historic jolt of opportunity that benefits every corner of our state. When we invest in transit, we're not just boosting ridership; we're fueling engineering, architecture,

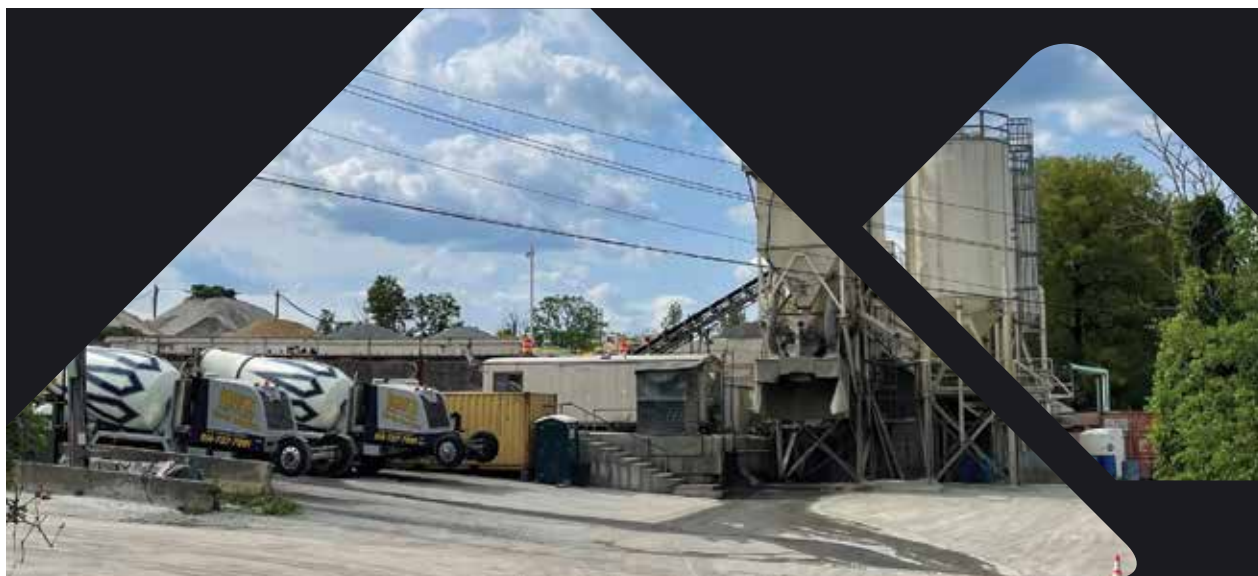


The MTA plan proposes investing \$68.4 billion in capital improvements and state of good repair of the regional mass transit system.

construction, and professional services—ensuring our region stays competitive, modern, and ready for the future," said Carlo A. Scissura, Esq., president & CEO, New York Building Congress.

On Jan. 30, the MTA released data on the volume of vehicles entering into Manhattan's Congestion Relief Zone (CRZ), by location, time and

type of vehicle. Among some topline findings, the data offers details on how some drivers have been entering the zone before 5 a.m., in order to avoid the peak period toll, helping to reduce congestion through tunnels into Manhattan. The data also reveals that about 11% or 12% of vehicles stay on the excluded roadways. ■



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TRIP: Poor Roads Price Tag is \$38B Statewide

Cost of Congestion, Rough Roads to a Metro Area Motorist \$3,492 Annually

NEW YORK—Roads and bridges that are deteriorated, congested or lack some desirable safety features cost New York motorists a total of \$38 billion statewide annually—\$3,492 per driver in the New York-Newark-Jersey City urban area—due to higher vehicle operating costs, traffic crashes and congestion-related delays.

The new report released recently by TRIP, a Washington, DC based national transportation research nonprofit, found that a lack of adequate investment in transportation and increasing inflation in construction costs could hamper New York’s ability to make needed improvements to its transportation network.

The TRIP report, “New York Transportation by the Numbers: Providing a Modern, Sustainable Transportation System in the Empire State,” found that throughout New York, nearly half of major locally and state-maintained roads are in poor or mediocre condition, nine% of locally and state-maintained bridges (20 feet or more in length) are rated poor/structurally deficient, traffic congestion is choking commuting and commerce, and the state’s traffic fatality rate has increased significantly since 2019.

Driving on roads in the New York-Newark-Jersey City urban area costs the average driver \$3,492 per year in the form of extra vehicle operating costs (VOC) as a

result of driving on roads in need of repair, lost time and fuel due to congestion-related delays, and the costs of traffic crashes in which the lack of adequate roadway safety features, while not the primary factor, likely were a contributing factor. Congestion alone costs the average New York metro motorist \$2,535 each year. For the Poughkeepsie-Newburgh-Middletown market area, driving on subpar roads cost motorists \$1,825 a year.

“New York’s transportation dollars are already being stretched thin by increased inflation in construction costs, and declining capital investments in the state and local transportation networks will make it harder to complete needed

improvements,” said Dave Kearby, TRIP’s executive director. “It will be critical that the state adequately invest in its transportation network in order to provide a system that is smooth, safe and efficient.”

The TRIP report found that 46% of major locally and state-maintained roads in the New York-Newark-Jersey City urban area are in poor or mediocre condition, costing the average motorist an additional \$694 each year in extra vehicle operating costs, including accelerated vehicle depreciation, additional repair costs, and increased fuel consumption and tire wear. Statewide, 45% of New York’s major roads are in poor or mediocre condition. ■

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NEW YORK BRIDGE CONDITIONS

Nine percent (1,664 of 17,642) of New York’s bridges are rated in poor/structurally deficient condition, the tenth highest share in the nation. Bridges that are rated poor/structurally deficient have significant deterioration of the bridge deck, supports or other major components. Fifty-five percent of the state’s bridges are rated in fair condition and the remaining 35 percent are in good condition. The chart below details bridge conditions statewide and in the state’s largest urban areas.

Location	POOR/STRUCTURALLY DEFICIENT		FAIR		GOOD		TOTAL BRIDGES
	Number	Share	Number	Share	Number	Share	
Albany-Schenectady-Troy	75	9%	481	57%	284	34%	840
Binghamton	31	5%	388	56%	269	39%	688
Buffalo - Niagara Falls	99	8%	620	53%	455	39%	1,174
New York -Newark-Jersey City	414	6%	4,569	68%	1,692	25%	6,675
Poughkeepsie-Newburgh-Middletown	127	16%	482	60%	195	24%	804
Rochester	122	10%	629	50%	495	40%	1,246
Syracuse	86	10%	525	60%	269	31%	880
Utica	57	11%	210	42%	229	46%	496
NEW YORK STATEWIDE	1,664	9%	9,731	55%	6,247	35%	17,642

Location	Hours Lost to Congestion	Annual Cost Per Driver	Gallons of Fuel Wasted Per Driver
Albany-Schenectady-Troy	47	\$927	23
Binghamton	19	\$549	7
Buffalo-Niagara Falls	44	\$1,146	20
New York-Newark-Jersey City	92	\$2,535	36
Poughkeepsie-Newburgh-Middletown	33	\$722	17
Rochester	39	\$952	17
Syracuse	17	\$460	7
Utica	18	\$488	7

NEW YORK ROADS PROVIDE A ROUGH RIDE

Due to inadequate state and local funding, 25 percent of major state and locally-owned roads and highways in New York are in poor condition. Driving on rough roads costs the average New York driver \$733 annually in additional vehicle operating costs – a total of \$8.9 million statewide. The chart below details pavement conditions on major roads in the state’s largest urban areas and statewide.

Location	Poor	Mediocre	Fair	Good
Albany-Schenectady-Troy	16%	23%	26%	35%
Binghamton	19%	21%	21%	39%
Buffalo-Niagara Falls	13%	22%	22%	43%
New York-Newark-Jersey City	30%	16%	21%	33%
Poughkeepsie-Newburgh-Middletown	17%	29%	22%	32%
Rochester	12%	21%	20%	47%
Syracuse	17%	17%	18%	49%
Utica	10%	29%	21%	40%
New York Statewide	25%	20%	16%	39%

Congestion Pricing Program Post Early Advances: MTA

NEW YORK—The congestion zone pricing program is gaining supporters as it removes vehicles, improves travel time and creates new capacity on city roads. Initial signs of success were seen within the first two weeks after the program was switched on. An immediate decrease in traffic volume—up to 43,000 fewer vehicles—was recorded in Manhattan’s central business district.

Now six weeks after the Jan 5. launch of tolling plan, the MTA has reported that an average of 490,000 vehicles enter the Central Relief Zone (CRZ) on a daily basis. An additional 63,000 travel daily through the CBD using toll-exempt roadways. Under the projections, an average of 583,000 drivers would enter the toll zone each day. That could be the difference between flowing traffic and gridlock, people in Manhattan have reported.

MTA officials reported a wealth of early data confirming what many drivers have already noticed—a noticeable drop in congestion since the pricing plan took effect.

“Before the start of congestion relief, talk of lawsuits and doubts dominated the conversation, but now it’s the undeniably positive results we’ve been seeing since week one,” MTA Chair and CEO Janno Lieber said. “Better bus service, faster drive times and safer streets are good for all New Yorkers.”

In recent weeks, MTA data shows more than one million fewer vehicles entering

the Congestion Relief Zone, resulting in improved travel time and shorter commutes. Other measurements released by MTA show subway and bus ridership on the rise, with express bus ridership saving up to 10 minutes on travel time.

The New York City Taxi and Limousine Commission weighed in this week on the movement of Yellow Cabs in the central business district.



The TLC reported that during a one-week period, there were 511,376 taxi trips made in the CRZ compared to 461,821 during the same period in 2024.

Though it is only based on one week’s worth of available data, TLC reported the increase is a positive sign that

congestion pricing’s ongoing rollout, which charges vehicles a base toll of \$9 to enter Manhattan south of and including 61st Street, is becoming part of the ever-evolving city culture of New York. Since the toll plan charges taxi riders a 75-cent surcharge, many cab drivers expressed concern that the charges would negatively impact their ridership. With published ridership gains since the program began, those misgivings are diminishing.

“The incentive of going into the CBD, which we know from initial data, is that you can get trips faster, you can move through the CBD,” TLC Commissioner David Do said. “On average, before congestion pricing for a long period, the speeds of the congestion-relief zone were much slower. So if you can get passengers to your destination just a little bit quicker, it means you get a little more free time now to search for that next fare instead of waiting in traffic.” ■

What Drivers/Riders are Saying About Their Faster Commutes

- Inbound trip times on all Hudson and East River crossings are now 10% to 30% faster or more than they were in January 2024.
- Drivers crossing via the Holland Tunnel are experiencing the most improved daily time crossings, with a 48% reduction on average during peak morning hours.
- The Williamsburg and Queensboro Bridges are both experiencing an average of 30% faster trip times.
- Drivers on the Long Island Expressway, Flatbush Avenue, NJ 495 and other roads leading up to crossings have been seeing improved speeds.
- Data from TRANSCOM also showed that drivers in the CRZ are experiencing travel time improvements especially during afternoon peak hours with reductions as high as 59%.

**TRANSCOM provided data to the MTA saying how drivers have been experiencing much faster commutes.*




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Appeals Court Rejects Trump's Attempt To Stop Federal Funding Freeze Order

NEW YORK – Following the initial court victory for New York Attorney General Letitia James and a coalition of 22 attorneys general—who successfully halted implementation of a Trump administration policy that would have blocked many federal agency grants, loans and other financial assistance programs—a new court ruling handed the president his second setback.

A federal appeals court on Tues., Feb. 11, rejected the Trump administration's bid to pause a lower court's order that temporarily halted a massive freeze in federal funding. *CNN* first reported that a judge in Rhode Island blocked the funding freeze Mon., Feb. 10, and ordered the government to "immediately restore frozen funding."

In its ruling on Tues., Feb. 11, a three-judge panel of the 1st U.S. Circuit Court of Appeals wrote that the "defendants do not cite any authority in support of their administrative stay request

or identify any harm related to a specific funding action or actions that they will face without their requested administrative stay."

The court said the parties have until Thurs., Feb. 13, to



New York Attorney General Letitia James led a coalition of 22 attorneys general in a court battle to prevent a federal funding freeze from going into effect.

file any further memoranda in support of their positions on the motion for a stay pending appeal.

On Friday, Jan. 31, Judge John J. McConnell of the U.S.

District Court for the District of Rhode Island granted a temporary restraining order blocking the administration's funding freeze after Attorney General James and the coalition filed a lawsuit

to stop the policy.

In a separate court proceeding, U.S. District Judge Loren L. AliKhan in Washington, who had ordered a short-term pause minutes

before the Trump administration's plan was set to go into effect last week, said Monday she's inclined to grant a longer temporary order in the case brought by a coalition of not-for-profits, according to published reports.

The Trump administration argues a brief pause in funding to align federal spending with the president's agenda is within the law, and the court lacks constitutional authority to block it. The *Associated Press* reported that President Donald Trump's plan to halt federal grants and loans originally targeted a wide range of funding totaling potentially trillions of dollars. While the memo outlining it has since been rescinded, the Republican administration has said some kind of funding freeze is still planned as part of his blitz of executive orders.

"The power of the purse belongs to Congress—not the President of the United States," said Attorney General James. "Now, New Yorkers can rest assured that federal funds for critical services—

meals for our seniors, health care, community public safety, disaster relief, and so much more—are currently not at risk. I will continue to fight in court to defend the essential programs and services New Yorkers need."

The TRO won by the attorney general coalition prohibits federal agencies from taking any action that would "pause, freeze, block, cancel or terminate" the provision of federal funding, unless otherwise permitted by existing statute or the terms of the grant. In a notice sent to federal agencies and filed with the court, the Department of Justice (DOJ) indicated its intent to comply with the court order and affirmed that the TRO blocking the illegal freeze applied to all federal funding awards or obligations, including those made to recipients such as hospitals, non-profits, or other organizations. The TRO applied to both current and future grants of federal assistance, according to the Attorney General's office. ■



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Judge Blocks WH Plan to Cut Research Grants

BOSTON—A federal judge in Massachusetts issued a temporary order on Mon., Feb. 10, blocking the White House from cutting billions of dollars in federal grants for scientific research.

U.S. District Judge Angel Kelley issued an order putting the cuts on hold pending a hearing Feb. 21. The move came after 22 state attorneys general, including from New York and New Jersey, filed a lawsuit challenging the Trump administration plan.

The lawsuit seeks to stop the National Institutes of Health from implementing an across-the-board cap on the amount of "indirect" federal research funding that can go toward facilities and administrative costs.

The cap, announced on Fri., Feb. 7, would lead to millions of dollars in lost funding at local universities and research labs. It would threaten jobs in the life sciences sector and the future of research on a wide range of diseases, according to academics who spoke with a New York City-based news organization and advocacy groups like the Greater New York Hospital Association and the Association of American Medical Colleges.

The NIH funding on the chopping block covers a range of costs at research institutions, including maintenance and administrative staff, energy and utility bills and expenses related to ensuring labs meet safety and security standards.

Reprint courtesy *The Gothamist*.

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Attorney's Column

Triggering Event for Shortened Limitations Period Must Be Unequivocal: Court

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

There are many ways to manage the contractual risks associated with a construction project. One of these ways is to include a contractual provision shortening the limitations period within which a lawsuit can be started (which is usually six years). In discussing these shortened limitations periods, courts have routinely held that they cannot have run before the claim accrued, and they must be reasonable.

Tully Construction entered into a contract with the Triborough Bridge & Tunnel Authority to rehabilitate the Hugh Carey Tunnel (formerly the Brooklyn-Battery Tunnel). Two months later, Tully entered into a subcontract with Gibraltar Contracting for the tiling scope of work. The contract included a shortened limitations period of six months from the owner's issuance of a certificate of substantial completion or,

Cuomo's last-minute requirement to use "New York Blue" and "New York Gold" tiles instead of the white tiles specified. Gibraltar was also impacted by delays, and it incurred costs accordingly.

When payment for several open change orders and Gibraltar's impact costs was not forthcoming, Gibraltar sued, seeking payment of more than \$5 million. Tully moved to dismiss the lawsuit, citing the shortened



Thomas H. Welby, P.E., ESQ.



Gregory J. Spaun, ESQ.

The contract included a shortened limitations period of six months from the owner's issuance of a certificate of substantial completion or, if no such certificate was issued, then six months from the owner's acceptance of the work.

In the recent case of *Gibraltar Contracting, Inc. v. Tully Construction Co., Inc.*, an appellate court also reminds us that the triggering event must be unequivocal to start the running of the shortened period.

Background

In September of 2014,

if no such certificate was issued, then six months from the owner's acceptance of the work.

Gibraltar performed its obligations under the contract, including extra work—including a \$4.5-million change order resulting from then-Gov. Andrew

limitations period and providing the court with a document on MTA letterhead, signed by its Chief Engineer, denominated as a "Certificate of Final Completion," advising that Tully had fully performed its work, and recommending acceptance of the project.

Decision

The motion court denied the motion, citing the provision of the contract that required either the issuance of a certificate of substantial completion or of final acceptance by the owner, noting that the document provided was only a recommendation that the owner accept the project, not the acceptance itself. Tully appealed, and the appellate court affirmed. In doing so, after citing well settled case law that the six-month limitations period, itself, was not unreasonably short, the appellate court agreed that the document

provided was not the final acceptance of the project but only a recommendation that it be accepted.

Comment

This column often notes that the construction contract is the single most important document defining the relationship between the parties. Here, the court reminds us that while parties are free to agree to shorten the time within which to start a lawsuit arising out of the contract, the happening of the triggering event must be unequivocal. The docu-

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Rockland Housing Program Awards \$13.5M For Four Action Loan Opportunity Projects

NEW CITY—Four Housing Action Loan Opportunity (HALO) Awards and projects involving up to \$13.5 million in loans, were announced on Jan. 31.

"This is a monumental step forward in our ongoing efforts to address Rockland's housing crisis. The HALO program is not just about creating housing—it's about building stronger, more stable communities by ensuring that hardworking Rockland residents have access to attainable homes," said Rockland County Executive Ed Day. "With the support of our partners and the dedication of our Office of Community Development, we are making real progress toward a brighter future for all."

The HALO fund provides direct loans to borrowers in support of the creation or preservation of housing that is attainable to the average Rockland resident, with proceeds from loan repayments flowing back into the funds for future housing opportunities. Four projects in total

were announced, three of which are in the Village of Haverstraw and the fourth in Clarkstown. All projects will be consistent with the character of existing neighborhoods.



Rockland County officials pictured with HALO Award recipients.

"I'm so incredibly honored to be part of this bipartisan effort to create affordable housing so that families, seniors, young workers, and others can find a place they can call home," said Rockland County Legis-

lator Jesse Malowitz, chairman of the Economic Development & Housing Committee. "I know personally of the difficulty in finding an appropriate home at a price you can afford."

The first award is a \$3-million HALO Loan for predevelopment in support of Pennrose NY LLC to redevelop the former Haverstraw Chair Factory along the Hudson River to create 308 affordable units.

The project breakdown includes: 64 units at 30% AMI (Area Median Income) or below; 93 units at 60% AMI or below; 78 units at 80% AMI or below; nine units at 90% AMI or below; 43 units at 110% AMI or below and 17 units at 130% AMI or below.

"We are appreciative of the county's commitment to delivering high-quality, mixed-income housing opportunities for Rockland families," said Dylan Salmons, regional vice president at Pennrose. "In the face of the housing affordability crisis, the sustained support of the HALO program will help the development team to transform an underutilized site into a vibrant community asset with over 450 mixed-income homes and public space."

The second award is an up to \$3-million HALO Loan to Westhab, Inc. in support of developing a va-

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Commercial Real Estate is Banking on 2025

By JOHN JORDAN

WHITE PLAINS, NY—To understand the commercial market in 2025, it's good to know its modern history. In the 1970 and 1980s it grew and grew to the point of being too hot and then overbuilt. Then the rents suffered because of too much inventory.

And just when you'd think it couldn't get worse, it did. The devastations of the pandemic caused havoc in a number of sectors. Shoppers went online and stores closed. Main Street felt more like Meh Street. Inflation brought higher interest rates, which rose to the point that residents wouldn't or couldn't sell their homes to the next generation homeowners to occupy.



From left, Moderator Glenn Walsh and panelists: Jay Black, Howard Greenberg, Bruce Berg and Andrew Weisz.

This is the background known by all brokers and developers who participated in the Building Owners and Managers Association recently held annual State of the Market program. They were generally optimistic that the Westchester commercial real estate markets will continue to rebound from the devastation wrought by the COVID-19 pandemic.

While some segments are expected to be stronger than others, specifically the multifamily and industrial sectors, even the long-troubled Westchester County office market will be bolstered somewhat by a continued push by public and private companies to bring employees back to the office and building owners seeking to repurpose outdated properties.

The BOMA Westchester program also featured an update on the redevelopment of the former Galleria Mall, as well as plans by the New York Power Authority to build a new nearly 300,000-square-foot corporate headquarters at the Hamilton Green development parcel (former White Plains Mall) site located across the street from its current headquarters property at 123 Main St.

The Jan. 16 panel, moderated by Glenn Walsh, Executive Managing Director, Newmark, based in Rye Brook, featured:; Bruce Berg, Chief Executive Officer, Cappelli Development Company of White Plains; Jay Black, Vice President Operations, Diamond Properties of Mount Kisco; and Howard Greenberg, President, Howard Properties of Valhalla.

Office Market's Continued Transformation

Andrew Weisz, president, of development firm RPW Group of Rye Brook, NY, noted that in the past 15 years the county's office market has been reduced from 35 million square feet to approximately 26 million square feet as outdated office buildings have been razed to make way for adaptive reuse developments that have mostly included new multifamily housing along with healthcare and other uses. One example is Lifetime Fitness opening prior to the pandemic at the former Journal News offices in Harrison.

He related that the office market was overbuilt in the 1970s and 1980s and the oversupply put downward pressure on rents and result-



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Economic Outlook

\$30 Trillion Debt and Annual Deficit Will Force Hard Choices for Budget Cutters

By MICHAEL J. PATON

The federal budget is a critical tool for governing the United States, outlining how taxpayer money is allocated to support a variety of government functions. However, with the national debt exceeding \$30 trillion and annual budget deficits often surpassing a trillion dollars, the need for cuts has become increasingly urgent. Despite this,

concerns.

Achieving fiscal responsibility while maintaining the stability of social services and national security is a delicate balancing act, and any attempt to reduce spending is met with significant challenges. Across-the-board spending cuts appear to be what the new administration has in mind when they rail against gov-

portion of the budget is dedicated to spending programs such as Social Security, Medicare and Medicaid, which benefit millions of Americans. These entitlement programs are politically sensitive as they provide crucial support to retirees, low-income individuals and the elderly. Any attempt to reduce these programs often faces public

in times of financial strain. However, these cuts can have dire consequences for vulnerable populations, further fueling opposition to such decisions. Balancing the economic needs of the country with the imperative to support its citizens is one of the most challenging aspects of federal budget cuts.

Another major obstacle to cuts to the federal budget is the presence of structural constraints that limit the government's ability to reduce spending. A large portion of the federal budget is dedicated to mandatory spending, which is set by law and not subject to annual appropriations. This includes entitlement programs like Social Security, Medicare and Medicaid, as well as interest on the national debt. These costs continue to grow year after year, driven by factors like the aging population, rising healthcare costs and the accumulation of national debt.

For example, the costs of Medicare and Social Security are expected to increase dramatically over the coming decades as the baby boomer generation reaches retirement age. This growth in mandatory spending is a significant driver of the national debt and leaves little room for cuts in other areas of the budget. Additionally, the U.S. government is required by law to pay interest on its debt, which takes up a growing portion of the budget. These fixed costs are difficult to reduce without major policy reforms, such as changing eligibility requirements for entitlement programs or reducing the size of the national debt.

Moreover, some areas of the budget, such as defense spending, are politically sensitive and, therefore, difficult to reduce. National security concerns are often cited as a reason to maintain or increase defense spending, and any cuts to military funding can provoke strong opposition from lawmakers, defense contractors and the public. Reducing defense spending is seen by many as com-



promising the country's ability to protect itself and project power on the global stage. As a result, defense spending has been largely insulated from cuts, further complicating efforts to reduce the federal budget.

The economic impact of cutting the federal budget is another critical factor in the difficulty of reducing government spending. While budget cuts may lead to improved fiscal health in the long term, they often come with short-term consequences that can harm the economy. Reducing funding for social programs or public services can lead to increased poverty, unemployment, and inequality, further exacerbating social tensions. Additionally, cuts in public investment can stifle economic growth, as government spending often plays a key role in stimulating the economy, especially during recessions.

The effects on job markets are particularly concerning too. Cuts to federal employment or social services could reduce consumer spending and lower demand for goods and services. This could create a vicious cycle of economic contraction, making it even harder to reduce the deficit. Policymakers must carefully weigh the potential harm caused by budget cuts against the long-term benefits of fiscal stability, making these decisions particularly challenging.

Cutting the federal budget is a complex and difficult task due to the interplay of political pressures, social needs, structural constraints, and economic

Policymakers must carefully weigh the potential harm caused by budget cuts against the long-term benefits of fiscal stability, making these decisions particularly challenging.

slashing the federal budget is notoriously difficult. Among the factors contributing to the resistance against cutting government spending are political pressures, societal needs, legal constraints and economic

ernment waste. However, budget cutters may run into problems.




The difficulty of cutting the federal budget is deeply rooted in the complex web of social and economic priorities. A significant

backlash and strong opposition from political leaders seeking re-election.

Additionally, discretionary spending, which funds essential services like education, healthcare and housing, often faces cuts


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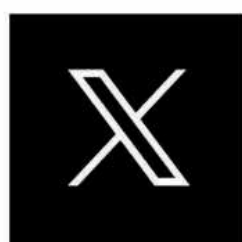


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Forecast continued from P.1

and it will take years after the IJA expires for all of its projects to be completed. It's possible for Trump to claw back some funds or shift them around, it noted.

Mr. Loughlin, who also serves as Business Manager of the International Union of Operating Engineers Local 137 of Briarcliff Manor, NY, said there are numerous projects that will be putting the trades to work in 2025. These include infrastructure, municipal public works, environmental/water facilities, energy and transmission work and resource development.

Conspicuously absent, however, were the private market sectors of multifamily housing, hospitality and commercial real estate development, which he hopes to begin winning back through aggressive efforts to reclaim a place at the table with developers and local elected officials.

Infrastructure work from the New York City DEP, NYSDOT, MTA and other entities will fuel significant work for the building trades in 2025, Mr. Loughlin said. Despite a court ruling that has eliminated Project Labor Agreements on federal projects of \$35 million or more, and the threats of a federal funding freeze, Mr. Loughlin remains bullish on the prospects for the Westchester-Putnam region in 2025.

"Money that is already in the pipeline for those jobs, we are still going to see that money come in. There is really nothing they can do about that money that has been earmarked for us."

OBSERVATIONS:

A hopeful sign for the building trades is the Trump Administration's nominee for Secretary of Labor Lori Chavez-DeRemer, whom he characterized as "labor friendly."

**Edward Cooke, Vice President
Building & Construction Trades
Council of Westchester & Putnam
Counties, Inc.**

PROSPECTS FOR 2025:

"The best one-word description for last year was 'Stalled,'" Mr. Cooke noted. "It was the year of should've,



Tackling the hefty backlog of improvements to NYS DOT, NYC DEP and MTA facilities is now getting underway throughout the Hudson Valley region.

could've, would've but didn't," he said. "It seems that 2025 is off to a strong start with infrastructure and cast in-place concrete."

Mr. Cooke, who also serves as Business Representative of the North Atlantic States Regional Council of Carpenters and Local 279 in Hopewell Junction, NY, noted that compared to last year, the new year is "already off to a better start."

He explained that building and construction activity "really didn't start until April or May of last year. We started a few of these projects in January and February (2025), and it seems like it is starting to roll...I am very optimistic that this will be a banner year for the trades."

OBSERVATIONS:

"Westchester County on a whole has been good with its Project Labor Agreements. Under Putnam County (Executive) Kevin Byrne, we have three Project Labor Agreements," covering road and bridgework projects, "which are the first in a very long time in Putnam County."

He added, "The building trades and labor must do a better job educating Republicans on the importance of Davis-Bacon and the curses of right-to-work policy—and the poverty and

devastation that right-to-work brings to states."

Mid-Hudson Region

**L. Todd Diorio, President
Hudson Valley Building & Construction Trades Council**

PROSPECTS FOR 2025:

Mr. Diorio said, "2024 was very good for most of the building trades." Hours for Laborers last year were up 5%. Hours in the building sector were a little lower than normal, while the heavy highway sector "was very strong."

He explained that generally the market-share split between the building and heavy highway sector in the region was 50-50. In 2024, the market share tipped in favor of the heavy highway industry by a 68-32 margin. Mr. Diorio noted that the New York State Executive Budget 2025-2026 calls for approximately \$1 billion in additional highway and bridge construction funding.

"2025 looks very strong" for the approximately 6,000-members and 29 participating unions in the Hudson Valley Building & Construction Trades Council, he summarized. "The four counties (Orange, Sullivan, Ulster and Dutchess) that the Hudson Valley Building Trades cover will see

a lot of work."

OBSERVATIONS:

"There are a bunch of solar/renewable energy projects that we are tracking in Orange, Ulster and Sullivan counties and talking with developers about. So, we see a lot of work coming out of the solar industry, including in the Hudson Valley area."

**Stephen Reich, Co-Vice President,
Building & Construction Trades
Council of Rockland County**

PROSPECTS FOR 2025:

Mr. Reich, who serves as Business Manager of Laborers Local No. 754 of Chestnut Ridge, NY, said, "Overall, I think 2024 was pretty good, especially for the Laborers, and the other trades hung in there pretty well. In general, it was a decent year for most of the trades. I didn't hear a lot of complaints."

He added that the heavy highway side of the trades was very busy, along with union carpenters. Key drivers included road work and private industrial warehouse project work, where the Rockland Building Trades have adopted special agreements and strategies to be competitive in that market, he explained.

"2025 should be a strong year if the money from Washington is not held up." He admitted that the building trades are going to have our challenges but I think there is the potential for a decent year and the potential to put new things in place so we can try to build better years going forward."

OBSERVATIONS:

"We got a lot of challenges we're dealing with" in 2025," Mr. Reich said. "We're trying to use Target funds, apprenticeship requirements and that kind of stuff to have local public projects use local labor."

He added, "A lot of these New Jersey companies are starting to sign up with some of those upstate apprentice programs, such as the Empire Merit program, which is recognized by the state, but is a sham program, in my opinion." ■

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Major Projects for H.V. Building Trades

Major projects cited by building trades leaders that are in planning, nearing approvals or have broken ground for 2025.

Note: Some projects were procured through project labor agreements while others listed will be performed predominantly by members of the building trades.

Route 9A Improvements from Ossining to Pleasantville Road, Taconic State Parkway Interchange. An engineering scoping report on the project was released in March 2024 by NYSDOT, which estimated “the range of total investment would be somewhere between \$340 million and \$475 million in 2024 dollars.” Initiative still in planning stage.

White Plains Hospital Expansion Project. A 10-story, nearly 500,000-square-foot expansion that represents the next phase in the hospital’s ongoing transformation reportedly estimated to cost \$750 million. The Building Trades are in negotiations on a PLA on the project.

Elizabeth Seton’s Children’s Hospital Expansion. Project valued at approximately \$120 million. Building Trades are in negotiations on a PLA.

Hillview Reservoir, Yonkers. The workforce has been mobilized for the Hillview Reservoir Chemical Addition Facilities Construction project. Skanska in a joint venture with ECCO III Enterprises, Inc., signed a contract with the New York City Department of Environmental Protection (NYCDEP) last September. The total contract is valued at \$848 million. There is a PLA on this project

Kensico-Eastview Connector Project, Mount Pleasant. Last July, ground was broken on the \$1.9-billion Kensico to Eastview tunneling and facilities upgrade project in the Westchester County Town of Mt. Pleasant. It includes site preparation and building work at the DEP campus adjacent to the Kensico Reservoir. The joint venture team of Paul J. Scariano, Inc., and Montasano Brothers, Inc., JV was the lowest bidder competing for the contract which the DEP awarded for \$107 million.

CONSTRUCTION NEWS reported that the first phase of the four-part

construction project is expected to be completed in late 2025. Tutor Perini Corp. announced Oct. 23 that its subsidiary, Frontier-Kemper Constructors, had been awarded a contract valued at approximately \$1.1 billion by the New York City DEP for the Kensico-Eastview Connection Tunnel Project. Tutor Perini reported at the time that work was expected to begin in the coming months with substantial completion expected in 2030. There is a PLA on this project.

Westchester Medical Center, Valhalla. \$220-million expansion project that will be built by predominantly union tradesmen with Turner Construction.

Glen Island Bridge, New Rochelle. Work has begun on the \$79.7-million project with Westchester County for the rehabilitation of Glen Island Approach Bridge over New Rochelle Harbor. Kiewit Infrastructure Co. of Omaha, NE was the low bidder on the project.

NYPA New Corporate Headquarters, White Plains, NY. The Building Trades are in negotiations with developer Cappelli Enterprises on a Project Labor Agreement for a new, New York Power Authority corporate headquarters project that is projected to be valued at more than \$300 million.

Rockland Logistics Center, Suffern. Some union firms have secured work on the 1.1-million-square-foot warehouse project at the former Ciba-Geigy Novartis site.

WTP Acquisitions Warehouse-Orangeburg. A nearly 200,000-square-foot warehouse project is currently in the bid stage.

JP Morgan Chase Data Center, Orangeburg, NY. Phase three of the project is scheduled to start in 2025.

DataBank Data Center, Orangeburg, NY. Completion on phase one, a 200,000-square-foot, 45-megawatt facility is expected soon, with work expected to begin on phase two this year after all approvals are secured.

West Nyack Revitalization. Work to be done under a Project Labor Agreement with the Town of Clarkstown in Rockland County.

Rockland Green Animal Shelter,

West Haverstraw, NY. Bids have gone out on the project that will be procured through a PLA. According to a published report in the *Rockland County Business Journal*, the construction contract is valued at close to \$15 million.

Rockland County Sewer District No. 1. Two PLAs are in place for odor control and upgrades to sewer plants.

Rockland County Sheriff’s Operations Building. Work has begun on the nearly \$10-million project involving the renovation of the old County of Rockland Highway Department Administration Building and garages into the Rockland County Sheriff’s Operations Building that will be performed under a PLA. Worth Construction is the general contractor.

NYSDOT, Thruway projects. Included is work now underway on State Route 304 over Interstate 287 in the Town of Clarkstown in Rockland County—part of a three-bridge contract with NYSDOT in the Hudson Valley.

Orange-Ulster BOCES. Work began on a \$180-million capital program in 2024 and will continue in earnest in 2025 under a Project Labor Agreement.

Mid-Hudson Forensic Psychiatric Center. Work has begun on the \$365-million project under development with the New York State Dormitory Authority that will be performed under a PLA.

Second Phase-Exit 122 on Route 17. ECCO III Enterprises of Yonkers was the low bidder on that project valued at approximately \$68 million. The work to be performed in 2025 will be under a PLA.

Newburgh Enlarged School District Career Tech Education Building. A PLA has been signed on the \$90-million project in Orange County.

Champlain-Hudson Power Express. Extensive work to be performed in Rockland and Ulster counties under a PLA in 2025.

Ulster County Emergency Operations Center. Work on this project estimated between \$20 million to \$25 million is expected to go out to bid shortly. The project is subject to

a PLA.

Sullivan County Airport Improvement Project. A PLA has been signed on this more than \$20-million upgrade to the regional airport.

Route 17A/Route 94 Road Improvement Project. Impending bid on this NYSDOT project in Orange County, estimated at approximately \$30 million, that will proceed under a PLA.

Route 17 Repaving Project in Sullivan and Orange Counties. PLA is in place on this \$30-million project.

Town of Cornwall Drainage and Retaining Wall Project. Work will be performed on this project, estimated at approximately \$26 million, by A. Servidone/B. Anthony Construction Corp.

Warehouse Projects. A number of major warehouse projects are underway or in the pipeline in Orange County, including a \$400-million proposal totaling approximately 3-million square feet in the Town of Wawayanda that is set to go before public review shortly.

West Point Military Academy. The building trades are currently working on multiple projects with a total value of more than \$500 million. Argenio Brothers recently won the bid on a Where and When road, sidewalk, water and sewer maintenance contract at West Point valued at approximately \$30 million.

Caesar’s Lane Water Treatment Plant (Phase Two). A PLA is in place on this project in New Windsor that is scheduled to go to bid shortly and is valued at \$80 million.

Roundout Bypass Project. Work is expected to begin soon on this multi-year project by the New York City DEP.

Additional School Construction Work. Building trades are monitoring expected project work from Monroe-Woodbury School District (\$100 million), New Paltz, Wappinger, Ellenville and Arlington school districts.

Woodbury Common Expansion. Building trades have been attending municipal meetings on this project, which is expected to be valued at more than \$100 million in Orange County. Owner Simon Properties has committed to a PLA. ■

Economic Outlook continued from P.10

consequences. While the need for budget cuts is clear, particularly in light of rising national debt and deficits, making those cuts requires balancing competing interests and carefully considering the broader impacts on the economy and society. Political interests often block necessary reductions, particularly in areas such as entitlement programs and defense spending. At the same time, cuts in social services can lead to public backlash and harm vulnerable populations. Structural constraints such as mandatory spending and fixed costs further limit the ability to make

meaningful reductions. Finally, the short-term economic effects of budget cuts, including potential job losses and decreased public investment, make these decisions even more challenging. In order to tackle the federal budget deficit, policymakers will need to find a way to navigate these challenges through thoughtful planning, strategic reductions and a commitment to long-term fiscal responsibility.

About the author: Michael J. Paton is a portfolio manager at Tocqueville Asset Management L.P. He can be reached at 212-698-0800 or by email at MPaton@tocqueville.com. ■

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Budget Continued from P.1

off the structure that best identifies the continuing capital needs of the MTA system, NYSDOT should adopt a similar approach to capturing and addressing future system needs.

• **Adopt a Holistic Approach to Funding the Statewide Transportation System:** As new or enhancements to existing revenues are contemplated to close the Metropolitan Transportation Authority's 2025-2029 Capital Plan gap, ensure that such measures also address the infrastructure needs of NYSDOT.

The governor's budget failed to provide specifics on how the state will help fund a multi-billion funding gap in the Metropolitan Transportation Authority's capital program.

As a founding member of NYRIC, the Construction Industry Council of Westchester & Hudson Valley, Inc., warned budget planners

that by the end of the current historic NYSDOT Capital Plan, New York is projected to have the worst pavement and bridge conditions in decades.

John Cooney, Jr., CIC executive director, was a cosigner on the NYRIC-submitted memo that pointed to key findings from the most recent Annual Highway Pavement and Bridge Conditions Report:

Bridge Conditions

- All 11 NYSDOT regions reported declines in bridge conditions, which is unprecedented.

- An additional 138 bridges have transitioned from good to fair or poor condition, bringing the total number of structures in fair or poor condition—based on federal criteria—to nearly 11,400 or 65%.

- Overall investments in bridge safety assurance declined nearly 20% year-over-year.



New York Gov. Kathy Hochul presented her FY2025-2026 Executive Budget in late January that included an addition \$800 million to restore the purchasing power for “core” Department of Transportation projects.

Pavement Conditions

- Seven of 11 NYSDOT regions experienced declines in pavement conditions.

- An additional 630 lane miles maintained by NYSDOT have shifted from good to fair and poor condition, raising the statewide total in fair or poor condition to

nearly 17,000 lane miles (more than 40%).

- Overall investments in pavement renewal have decreased by more than 31% year-over-year.

Overall Capital Investment

- Total NYSDOT Capital Plan spending declined by nearly \$200 million year-

over-year.

- Compounding the decline in pavement and bridge conditions, nearly 40% of the \$3.3 billion encumbered by NYSDOT from the Capital Plan last year was allocated to activities that did not improve system conditions. ■

At-a-Glance: Hochul's Budget Highlights

The following are highlights of some of the governor's \$252-Billion 2026 Executive Budget proposals of interest to the construction industry:

Transportation-Roads and Bridges

The Executive Budget provides almost \$6.9 billion for the fourth year of a record \$34.1 billion, five-year DOT Capital Plan that will facilitate the improvement of highways, bridges, rail, aviation infrastructure, non-MTA transit, and DOT facilities. Compared to the last five-year DOT Capital Plan, this is an increase of \$10.7 billion, or 46%. Funding includes \$800 million to restore the purchasing power lost to rising construction costs and ensure that planned projects remain on track.

Local Highways and Bridges

Funding for the Consolidated Highway Improvement Program (CHIPS) and the Marchiselli program is maintained at the FY 2025 level of \$637.8 million. The budget provides the fourth year of an annual \$100 million for the local Pave Our Potholes program, \$150 million in highway aid through the PAVE NY program, and \$200 million to fund local projects from the BRIDGE NY program. The \$100 million Extreme Winter Recov-

ery and \$140 million State Touring Route programs are also geared at improving conditions on state and local

MTA's proposed \$68.4 billion 2025-2029 Capital Program. The budget includes \$25 million for planning and

marked for Upstate transit systems and \$588 million for non-MTA Downstate transit systems.

Climate Investment

In what has been described as the largest climate investment in New York State's history, the governor's 2026 Executive Budget calls for:

- \$1 billion for the clean energy transition, including thermal energy networks on State University of New York (SUNY) campuses, retrofitting homes with clean devices like heat pumps, and supporting business decarbonization.

- \$500 million for clean water infrastructure that supports municipal drinking water, wastewater treatment and more.

- \$125 million for the state Superfund program to remediate hazardous waste, and a 10-year reauthorization of the State Superfund program.

- \$108 million to build climate resiliency, including \$78 million for coastal resiliency and \$30 million in Green Resiliency Grants.

The governor also continues her efforts to combat the housing crisis by earmarking up to \$760.5 million for pro-housing communities, \$100 million to help first-time homebuyers; and \$1 billion to New York City's 'City of Yes' Initiatives. ■



Redevelopment of downtown areas in the downstate region will drive the construction marketplace in 2025.

roads and bridges.

MTA, Hudson Valley Upgrades, Upstate Transit

The governor's budget calls for \$3 billion in state funding to support the

design of improvements to Hudson Valley rail service, working to shave as much as 15 minutes off commute times for certain trips. A total of \$344 million is ear-

Taxpayer Inflation Relief

In her attempt to foster her affordability agenda, Gov. Kathy Hochul has proposed \$5 billion to be put back into the pockets of New Yorkers. The plan includes:

- \$3 billion to provide Inflation Refund checks to 8.6 million New Yorkers, including \$500 for joint filers making less than \$300,000 and \$300 for single filers making less than \$150,000;

- \$1 billion in middle-class tax cuts across five of the state's nine tax brackets, cutting rates to their lowest level in nearly 70 years for New Yorkers who file jointly and earn up to \$323,000 annually;

- \$825 million to expand the Child Tax Credit over two years, giving eligible parents \$1,000 for kids under 4-years-old;

- \$500 for kids ages 4-16 and \$340 million to provide free school breakfast and free school lunch for every student in New York.

She is also calling for the full repeal of the SALT deduction, which she noted costs New Yorkers up to \$12 billion a year. ■



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Attorney's Column Continued from P. 8

ment used here, a document entitled "Certificate of Final Completion" drafted on MTA letterhead, signed by several layers of employees up through the agency's chief engineer was still equivocal because it only contained a recommendation that the TBTA accept the project, and was not the acceptance itself required by the contract.

While there is a narrow exception to this freedom—that the limitations period cannot be so short that it runs before the claim actually accrues (here, the appellate court was ok with a six-month period)—the consequence here of a document that did not strictly meet the contractual triggering event was to permit a claim that would otherwise have been subject to dismissal under the shortened limitations period.

While Gibraltar was saved by this fortunate circumstance, generally parties would be advised that where they have agreed to a shortened limitations period—and where the events triggering the running of the period are clear—they must exercise extra diligence to do everything they need to do to preserve and prosecute their claims within that shortened period.

Similarly, if you are the beneficiary of such a provision, you must make sure that you actually trigger the running of the shortened period exactly as set forth in the contract. Subcontractors often overlook such clauses when initially reviewing the subcontract, or when putting their claims together at the end of the project.

Consulting with construction counsel in drafting and reviewing contracts so that you can be sure that any shortened limitations period passes the reasonableness test (and does not run before the claim accrues), how to best trigger the provision, and how to best timely assert any claims within that shortened period, could be very helpful. Also, please study your contract at the beginning of the job, not at the end.

About the authors: Thomas H. Welby is an attorney, a licensed professional engineer and General Counsel to the CIC and the BCA. He is the Founder of and Senior Counsel to the law firm Welby, Brady & Greenblatt, LLP. Gregory J. Spaun, Esq., is General Counsel to the Queens and Bronx Building Association and partner with the WBG LLP. ■



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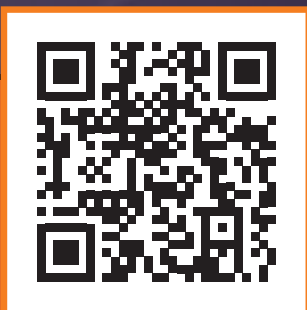
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CONSTRUCTION NEWS



Vol. 41 No. 2

FEBRUARY 2025

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New York City Update

NYCDEP Invested \$165M in H.V., Serving Half the State Population for Drinking Water

NEW YORK—The New York City Department of Environmental Protection announced recently the completion of payments of \$165 million in local village, town, city, county and school taxes in 2024 across nine Hudson Valley and Catskill counties covering the water supply system serving half of the state's population.

With these payments, DEP remains a top taxpayer throughout many municipal-

DEP Commissioner Rohit T. Aggarwala. "Between paying full property taxes, funding best management practices on watershed farms and economic development projects throughout the region, DEP directly infuses hundreds of millions of dollars each year to local economies throughout the watershed and will continue paying its fair share providing support and opportunities for all of our community partners."

poses. Piping and aqueducts used to convey water are tax exempt. Taxes are paid on all properties originally acquired to build the 19 upstate reservoirs and three controlled lakes between the mid-19th and mid-20th centuries (about 78,000 acres), and all land and assets acquired since to operate the supply system and as buffer land to help protect water quality (approximately 156,000 acres).

In 2024, DEP was among the top taxpayers in numerous municipalities and school districts across the watershed region. DEP paid more county government property taxes than any other property owner in Ulster, Delaware, Putnam and Schoharie counties, and was the second highest in Westchester County. DEP also has more than 1,000 employees throughout the upstate watershed and water supply system.

The DEP's 2024 property and school tax payments breakdown as follows but does not include local municipal taxes paid by DEP:

Delaware County: On 1,231 parcels, DEP paid \$6,460,574 in county property taxes and \$12,537,575 in school taxes.

Dutchess County: On 39 parcels, DEP paid \$47,253 in county property taxes and \$434,432 in school taxes.

Greene County: On 458 parcels, DEP paid \$529,591



ities and school districts in and near the watershed, paying taxes on the full-assessed value of land, structures, easements and most water supply infrastructure across the more than 200,000 acres owned by New York City for the water supply system.

"DEP remains committed to working hand-in-hand with all the communities that help us continually deliver the highest quality water possible to half the state's population," said

DEP pays property and school taxes at full assessed value on all land, reservoirs, dams and structures across the approximately 230,000 acres it owns or controls throughout the 2,000-square-mile watershed in the Hudson Valley and Catskills, including the tens of thousands of acres open to the public for recreational purposes such as hiking, fishing, hunting and boating as well as on property used for agricultural pur-

in county property taxes and \$1,248,072 in school taxes.

Sullivan County: On 131 parcels, DEP paid \$4,414,912 in county property taxes and \$10,240,494 in school taxes.

Ulster County: On 558 parcels, DEP paid \$3,895,152 in county property taxes and \$18,152,546 in school taxes.

Orange County: On 21 parcels, DEP paid \$12,504 in county property taxes and

\$88,757 in school taxes.

Putnam County: On 484 parcels, DEP paid \$2,015,384 in county property taxes and \$17,672,085 in school taxes.

Schoharie County: On 101 parcels, DEP paid \$2,525,734 in county property taxes and \$3,182,887 in school taxes.

Westchester County: On 501 parcels, DEP paid \$7,183,385 in county property taxes and \$41,711,473 in school taxes. ■

Turner, New York City FC Break Ground On \$780 Million Etihad Park in Queens

NEW YORK—Turner Construction Company and New York City FC recently broke ground on Etihad Park, a \$780 million, state-of-the-art stadium in Willets Point, Queens.

Fully financed by New York City FC, Etihad Park, the 610,000-square-foot facility will seat 25,000 spectators, and is designed to set a new standard as Major League Soccer's first fully electric stadium in the U.S. It will be powered by in-

novative sustainability features including rooftop photovoltaic panels and a water reuse system for pitch irrigation, New York City FC officials stated.

Etihad Park will house more than 40 private suites, three exclusive clubs and the City Square, a vibrant plaza for community gatherings and events. The project also integrates retail, dining and office spaces, creating a dynamic hub in Queens.

"New York City FC committed 10 years ago to build New York City's first-ever, soccer-specific stadium in the five boroughs, and today's groundbreaking of Etihad Park in Willets Point, Queens, brings us one step closer to delivering that promise to our fans and our city," said New York City FC Vice Chairman Marty Edelman.

The stadium is set to open in time for the 2027 MLS season.



A rendering of Etihad Park in Willets Point, Queens. RENDERING COURTESY OF NEW YORK CITY FC.

Gateway Development Commission Awards \$1.8 Billion Manhattan Tunnel Project to JV

NEW YORK—The Gateway Development Commission (GDC) Board of Commissioners awarded on Feb. 3 the contract for the Manhattan Tunnel Project to Frontier-Kemper-Tutor-Perini JV and authorized the notice to proceed with construction. The award the GDC Board approved includes \$1.18 billion for the total contract price.

The commissioners also approved a Memorandum of Understanding (MOU) to the Project Labor Agreement previously approved by the Board with the unions that will be working on the project.

Construction of this portion of the Hudson Tunnel Project (HTP) is expected to begin in the coming months, with substantial completion anticipated in 2029. According to a preliminary estimate by EY (Ernst & Young), construction of the project will create 15,800 new jobs.

The Manhattan Tunnel Project will build the section of the new Hudson

Tunnel Project tubes from the Manhattan Bulkhead in the Hudson River to the cut-and-cover Hudson Yards Concrete Casing east of 12th Avenue. The project will also remove obstructions that could slow or damage the tunnel boring machines digging the portion of the tunnel passing under the Bulkhead and into Manhattan and will protect and support exist-

ing features, including the Bulkhead and sewer lines. In a joint statement, Alicia Glen, New York GDC Commissioner and Co-Chair, Balpreet GrewalVirk, New Jersey GDC Commissioner and Co-Chair, and Tony Coscia, GDC Amtrak Commissioner and Vice Chair,

In total, construction of the Hudson Tunnel Project will create 95,000 jobs and generate nearly \$20 billion in economic activity to benefit workers and businesses throughout the New York/New Jersey region and across the country.

ing features, including the Bulkhead and sewer lines.

In a joint statement, Alicia Glen, New York GDC Commissioner and Co-Chair, Balpreet GrewalVirk, New Jersey GDC Commissioner and Co-Chair, and Tony Coscia, GDC Amtrak Commissioner and Vice Chair,

than 7,500 construction workers who are already building other HTP projects. These men and women are working hard to deliver for us, and it is important that we keep this project moving forward for them.”

GDC CEO Tom Prendergast said, “I am proud to

begin my tenure as CEO of GDC by awarding this contract to a highly qualified team that I am confident will successfully deliver this vital aspect of the HTP. The Manhattan Tunnel Project is one of the most technically complex pieces of the HTP. Building anything underground in Manhattan requires careful planning and expert execution, as I know from over-

the Manhattan Bulkhead and 12th Avenue will be a temporary tunnel shell with the primary purpose of clearing the pathway for the future final tunnel to be installed by tunnel boring machines. The project also includes designing and building an access shaft at 12th Avenue that will ultimately be converted into a permanent ventilation facility for the new tunnel.

The Manhattan Tunnel project requires complex tunneling activities, including navigating multiple major sewer lines and live utilities, the Manhattan Bulkhead, and any other obstructions that the team may encounter and need to remove.

Due to the presence of historic fill along Manhattan’s western shore, obstructions could range from archeological findings to concrete slabs and debris. The project will also clear pile foundations remaining from both the West Side Highway that collapsed

Please Turn to Page 24

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ConEd's Plan for \$21M Upgrades Draws Gov.'s Criticism, Calls for Utility Audit

NEW YORK—Con Edison has proposed a massive \$21-billion investment to maintain and upgrade its infrastructure in New York City and Westchester County to the New York State Public Service Commission. The investment plan, released late last month in conjunction with a rate hike request, is subject to approval by the New York State Public Service Commission.

Gov. Kathy Hochul has other thoughts on the matter. Now lobbying for an item in her FY2025-26 to fight inflation and reimburse taxpayers with a rebate for inflation, she is quite sensitive to any measures that could raise household costs. Following the Con Edison request, she sent a letter asking the Department of Public Service, which regulates utility companies, to reject Con Ed's rate increases and to audit the company's management compensation.

"Go back to the drawing board and figure this out, but you're not going to get that kind of rate increase from our hardworking New Yorkers," Gov. Hochul said during a Manhattan press conference on Feb. 11. A statement from the Department of Public Service spokesperson, James Denn, said the agency would look for cost-saving measures.

However, the PSC, with its seven



The proposed electric and gas rate hikes will support economic growth and development in New York City and Westchester County by investing more than \$21 billion over three years (2026-2028) to build new infrastructure. Pictured are Con Edison Electric operations workers on the job. PHOTO COURTESY OF CON EDISON

governor-appointed members, is responsible for approving the rate hike. The vote takes place following an extensive process of public review and negotiations between Con Edison and the Department of Public Service, which is the staff arm of the PSC. The PSC typically greenlights a smaller hike than utility companies initially propose, and it usually di-

rects the company to stretch the increase over multiple years.

According to Con Edison, the average electric customer could see their bill increase by 11.4%, while gas customers could see jumps of 13.3%, starting as soon as Jan. 1, 2026. Con Edison has 3.4 million electric and 1.1 million gas customers in New York City and Westches-

ter. Con Edison estimates that its investments would require approximately \$1.6 billion more in electric revenue and about \$440 million more in gas revenue.

The utility giant said the plan supports clean energy investments needed to build and maintain the grid of the future, improvements to

Please Turn to Page 27

Albany Update

Doing Business With NYSDOT

Contractors: Familiarize Yourselves with New Spec, Bidder Requirements That Take Effect Feb. 2

ALBANY—The New York State Department of Transportation sent a notice recently regarding upcoming revisions to its "Standard Specifications and Bidder Requirements" that are effective on contracts let on or after Feb. 20. It read:

"This notice is to make Contractors aware of proposed changes to the Department's Standard Specifications §102-12 DBE/MBE/WBE/SDVOB Participation that will affect the information that Bidders must submit with their bid for DBE participation.

Background: The changes to the Department's Standard Specifications §102-12 are based on the department's focus to facilitate timely awards, obtain more complete information from Bidders, and ensure compliance with Federal Regulations 49

CFR 26 by requiring a complete and verified DBE Participation Package under sealed bid procedures as a matter of responsiveness. In addition, recent changes to the Federal Regulations 49 CFR 26.11 require the Department to collect bidders list information for Contractors and Subcontractors.

Description: Effective with contracts let on or after Feb. 20, 2025, NYSDOT's Standard Specifications §102-12 are being revised to require all Bidders to (1) Submit a summary of confirmed DBE commitments to meet the DBE goal with their bid (i.e., entered directly into Project Bids or on AAP 14 for paper bids), (2) Submit DBE confirmations for each DBE commitment using Department provided forms (i.e., AAP 20, AAP 22, or AAP 23



depending on Work Category) for the type and amount of work indicated; and (3) Provide documentation with bid to show good faith efforts made to meet the goal (if the Bidder was not successful in obtaining enough DBE participation to meet the goal).

"Contractors are expected to begin solicitation as soon as the contract is advertised for letting. DBEs are expected to submit quotes to Contrac-

tors as early as possible in order for Contractors to have enough time to review quotes, obtain confirmation and submit DBE commitments/confirmation with their bid. If selected, DBEs are required to complete a form (i.e., AAP 20, AAP 22, or AAP 23) to confirm the type and amount of participation and to confirm that the DBE is certified to perform the work. The Department will evaluate the DBE participation

submitted at time of letting. No additional information will be considered after letting.

"Failure of a Contractor to provide firm DBE commitments/confirmation may result in the Contractor being found non-responsive. Failure of a DBE to submit quotes and/or confirmations in a timely manner may result in the firm not being considered for participation on a contract." ■

Gateway Continued from P. 22

in 1973 and existing sewer utilities. To provide the flexibility needed to navigate these obstacles, the contractor has proposed excavating the tunnel using a protective digging shield. These methods would enable the majority of construction to take place underground, improving safety and significantly reducing the impacts of construction on surface roads and sidewalks.

In addition to the items related to the Manhattan Tunnel Project contract, the Board of Commissioners approved the creation of a stipend program to support the New Jersey Surface Alignment (NJSA) Project procurement process. This program will provide a stipend for work product to teams that submit bids for the NJSA Project but do not win the contract. Given the complexity of the NJSA Project, this stipend program is necessary to enable teams to invest the resources needed to prepare an innovative, price-certain responsive bid.

The NJ Surface Alignment project of the Hudson Tunnel Project will construct the new and expanded right-of-way adjacent to the existing Northeast Corridor (“NEC”), from the east side of County Road in Secaucus, NJ extending to the property west of Tonnelle Avenue and the Palisades Portal in North Bergen, NJ.

GDC will retain rights to the intellectual property, ideas, techniques, concepts, and approaches contained in all proposals

from teams that receive stipends, and any other relevant work product that they create as part of the procurement process, GDC officials stated,

In the coming months, the commission expects to:

- Complete production of the tunnel boring machines (TBMs) that will build the New Jersey portion of the tunnel. These TBMs have already been ordered.

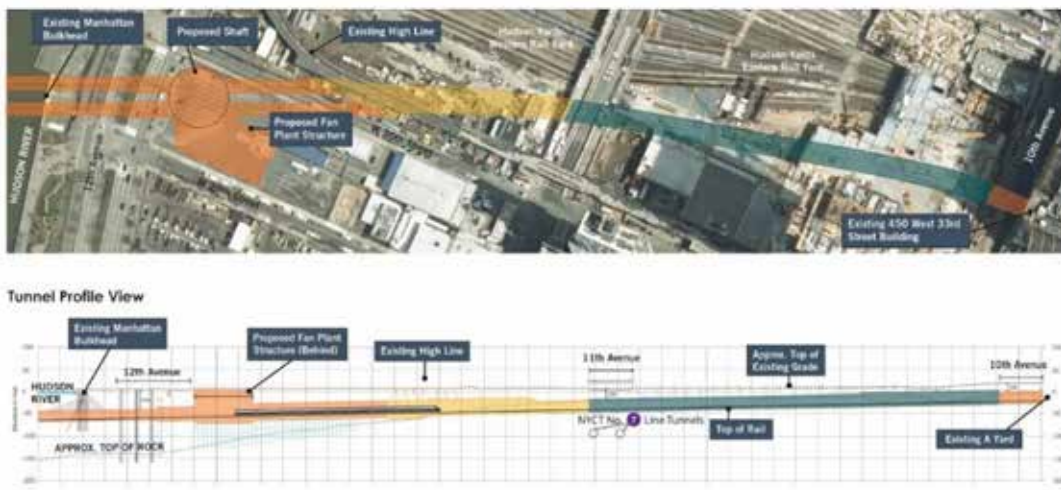
- Finish the Tonnelle Avenue Bridge and Utility Relocation Project. This will provide access to the portal to the Palisades that will enable tunnel boring machines to build the New Jersey portion of the new tunnel and will allow trains to pass under Tonnelle Avenue into the tunnel once it is in operation.

Seven of the 10 construction packages that make up the HTP are now under construction or in procurement. In total, construction of the HTP will create 95,000 jobs and generate nearly \$20 billion in economic activity that benefits workers and businesses throughout the New York/New Jersey region and across the country. Work is well underway on three construction projects, including the first heavy construction project of the HTP. These projects are projected to create 7,500 jobs and generate \$1.5 billion in economic output. In addition, initial construction in preparation for tunnel boring has launched and will advance significantly in the new year. ■

Manhattan Tunnel Project Route and Cross-Section

The below diagram shows the below-ground location of the section of the tunnel the Manhattan Tunnel Project will build and the rail right-of-way connecting the new tunnel to New York Penn Station.

Key: Orange – Manhattan Tunnel Project; Yellow – Hudson Yards Concrete Casing Section 3 (Under Construction); Blue – Existing Hudson Yards Concrete Casing Right-of-Way



Ex-MTA CEO to Head Gateway Project

NEW YORK—The Gateway Development Commission announced it had appointed Thomas “Tom” Prendergast as Chief Executive Officer (CEO). The announcement was made at its Board meeting on Jan. 16.

Mr. Prendergast brings significant experience managing large rail infrastructure to the role, including serving as president, chairman, and CEO of the Metropolitan Transportation Authority; president of the Long Island Rail Road and CEO of the South Coast British Columbia Transportation Authority (TransLink).

At MTA, Mr. Prendergast led the way to securing a five-year capital plan to modernize New York’s public transportation systems and oversaw restoration of service after Hurricane Sandy and critical rehabilitation and flood resiliency efforts. He served as MTA CEO from December 2009

until January 2013.

Mr. Prendergast comes to GDC from AECOM, where he oversees design and consulting services across all business lines in New York and New Jersey, including transportation, water and wastewater, environment, power, and buildings and places.

In a joint statement, Alicia Glen, New York GDC Commissioner and Co-Chair, Balpreet GrewalVirk, New Jersey GDC Commissioner and Co-Chair, and Tony Coscia, GDC Amtrak Commissioner and Vice Chair, said, “Over the past year, we have moved from planning the HTP to building the nation’s most urgent rail infrastructure project. We are thrilled that Tom Prendergast will be at the helm of GDC’s operations as we continue to advance the construction projects that are already in progress and move forward with tunnel boring



Thomas Prendergast,
CEO of the Gateway
Development
Commission

and trackway construction. The region, and the nation, need the Hudson Tunnel Project now more than ever, and Tom’s deep experience delivering complex infrastructure projects in New York and New Jersey, including his decades of work focused on rail mass transit in the region, position him perfectly to lead us through the next phases of this critical project.” ■

Commercial Real Estate Continued from P. 9

ed in rents remaining mostly flat for the overall office market for decades. He related that office properties must be upgraded to keep pace with changing tenant demands. Mr. Weisz said that this trend must continue going forward.

He added that there is an expectation or hope that another 10 million square feet of office space will be demolished or repurposed into some other use.

“A diversification of uses will make Westchester more attractive to businesses and also provide some rent growth so that we can actually start to see perhaps some new office construction, which we haven’t seen generally speaking in the last 50 years,” he said.

Mr. Weisz concluded that his firm is bullish on Westchester and feels that the strong multifamily sector will eventually allow the office sector to grow as these projects and experiential retail uses create a more vibrant lifestyle that attracts more businesses, workers and residents to the county.

‘Shadow Space’ Contracts Market

Howard Greenberg, president, Howard Properties of Valhalla, NY said there are plans to possibly redevelop even more current office space to other

uses, while there are other properties that either cannot or choose not to undertake any lease transactions at this time. He said that there is a significant amount of “shadow space” on the market today that is not available for one reason or another.

“So, I think the market will be further contracting in the very near future,” Mr. Greenberg predicted.

Jay Black, vice president of Operations of Diamond Properties of Mount Kisco, said his firm is constantly looking at its portfolio to perhaps repurpose some of its commercial portfolio. Going forward, he noted, developers will have repurposing opportunities, but must be creative to be successful.

However, he said that the increase in construction and labor costs since the onset of the pandemic in some cases have made repurposing projects “cost prohibitive.”

Mr. Greenberg also advised that tenants, looking for 20,000 square feet to 30,000 square feet of space in the county, should be asking their prospective landlords the current status of their debt, when do they plan to refinance and what is their capital structure going forward since most office transactions now have a seven to 10-year term or longer.

“A lot of stuff can happen in seven to 10 years. You have to be prepared. It is kind of a new world. You used to assume that every landlord is financially viable, but you just cannot assume that anymore,” he said.

Mr. Greenberg noted that during his career he has witnessed four distinct economic downturns, but characterized the COVID-19 pandemic as “the most devastating” since it prompted economic and lifestyle changes that adversely impacted the office market in Westchester and elsewhere.

He believes that some market dynamics, such as remote work and hybrid work will be part of corporate operations “in perpetuity.”

Bruce Berg, CEO of Cappelli Development Company of White Plains, cited reports that firms such as JP Morgan and Amazon have directed all their workers to return to their offices. He believes the commercial market “may have turned the corner” as more companies embark on a return-to-work strategy. Upon taking office, President Trump issued an executive order requiring all departments to order their workers back to the office. ■



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Rockland Housing

Continued from P. 8

cant lot located at 30 West St. in Haverstraw for an 81-unit affordable rental project for qualified low-income renters at 60% AMI or below.

“Westhab is tremendously appreciative to have Rockland County’s support (financially and otherwise). 30 West, located in the Village of Haverstraw, will provide affordable and supportive housing to 81 individuals and families earning less than 60% of the county’s AMI,” said Andrew Germansky, Senior Vice President of Real Estate Westhab, Inc. “In the midst of a regional housing crisis, Rockland County is showing leadership by making the HALO funds available to developers to build housing that is affordable to the community. Our development is a testament to the value and impact of true public/private partnerships.”

The third HALO Loan is for \$2.5 million to Sisters of Charity Housing Development Corporation to acquire and preserve an existing 90-unit affordable rental development at 140 Route 9W for qualified low-income senior renters.

The final HALO loan is an up to \$5-million loan to Regan Development Company’s special purpose entity Nannawit Commons LLC in support of the development of a 52-unit 100% affordable, senior, rental project for qualified low-income renters at or below 80% AMI in Clarkstown.

“As a company whose principals grew up in Rockland County right in the Town of Clarkstown, Regan Development is proud to partner with Rockland County and the Town of Clarkstown to create new high quality, energy efficient, affordable 55+ senior rental housing units for local Rockland residents,” said Larry Regan, president of Regan Development. “Rockland seniors currently struggle to find affordable housing rental options in the county and the HALO program will assist in the creation of 52 new units to alleviate the shortage.”

The HALO program, unanimously approved by the County Legislature in April 2024, was one of several key recommendations to the County of Rockland in its first-ever comprehensive community and housing needs assessment, as a method to address the housing crisis. ■

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Safety Watch

Bad Trenching Tipoff to OSHA Leads To Call for Hazardous Material Training

By COSTAS CYPRUS, ESQ.

Various materials are used in construction activities, including those deemed hazardous to human health. Therefore, companies must ensure that they have an adequate and updated written hazard communication program in place consisting of multiple components.

Safety Data Sheets (SDS) must be present on-site detailing information about

trenches at a worksite in Denver, CO in March 2020. Finley, LLC (Finley) was an earthmoving and excavating contractor based in Bailey, CO, with about five full-time employees, including its owner Jason Finley, a supervisor and some laborers. Kattera Construction, the general contractor for the construction of a residential complex in Denver, had retained

and that employees were not provided with effective information and training on hazardous chemicals in their work area at the time of their initial assignment or whenever a new hazard that employees had not previously trained about was introduced at the job site. Also, Finley did not have a copy of its hazard communication program on-site as required at the time

type of sloping that was being implemented at the site and the need to take additional precautions. Based on the submitted evidence, the citations for improper trenching and excavation were upheld against Finley by the Administrative Law Judge (ALJ).

However, the ALJ found that the Secretary of Labor failed to prove their case as against Finley for the citations arising from a failure to develop or implement a hazard communication program and to provide its employees with effective information and training on these hazardous chemicals. Although Finley only had a generic hazard communication program, which was only presented at the time of trial and which did not actually address Finley's specific business of excavation and earthmoving, Finley denied that their employees assisted plumbers connect piping at the bottom of the trench. At best, Finley employees might have been present in the trench while Kattera's plumbers were connecting and sealing pipe with certain pipe adhesives, but Finley did not perform any plumbing work.

Further, Mr. Finley testified that his company only installed drainage pipes, which did not require the use of any adhesives. The ALJ found that there was no reason to provide independent training on hazards not reasonably anticipated to be used by Finley's employees. Finley employees had received training



and information as provided by Kattera at the site that the ALJ found appropriate for the hazards presented by working adjacent to other workers who were required to use such chemicals.

During the trial, the Secretary of Labor attempted to amend this citation to include gasoline for Finley's vehicles and battery acid present in those vehicles as potential exposures for which Finley had failed to maintain respective SDS sheets. The ALJ found these attempts improper, as gasoline did not present "a greater hazard to a trench digger than a stay-at-home day filling up for a soccer practice, or to battery acid, for which there was absolutely no evidence of exposure." ■

About the author: *Costas Cyprus is an attorney practicing construction law and commercial litigation with Welby, Brady & Greenblatt, LLP, in White Plains, NY. He can be reached at 914-428-2100 and at ccyprus@wbglp.com. The articles in this series do not constitute legal advice and are intended for general guidance only.*

The presence of water in the trench should have required a re-evaluation of the type of sloping that was being implemented at the site and the need to take additional precautions.

each chemical, along with safety procedures and emergency procedures for potential and improper exposure. Employers must maintain an up-to-date inventory of hazardous chemicals at the site and ensure the proper labeling of all containers of hazardous materials with the relevant hazard warnings. Also, regular employee training must be provided to understand these labels and the SDS sheets and educate employees on the safe use of these hazardous chemicals.

The decision in *Secretary of Labor v. Finley, LLC*, however, indicates that proper hazard communications should be provided for those materials that are reasonably anticipated to be used by the workers. This matter arose from an anonymous complaint called into OSHA regarding unsafe

Finley for certain excavation work at the site. Finley, which had been working at the site for about nine weeks at the time of the OSHA inspection, had excavated multiple trenches, including one for plumbing for lines that would ultimately supply the apartment complex. The trench at issue was approximately 160 feet long, 18 feet across, and varied in depth from six feet to 10 feet.

Alerted by the anonymous complaint, OSHA sent a Compliance Safety and Health Officer to the site and, after an investigation, issued multiple citations to Finley, LLC. These included a failure to develop or implement a hazard communication program in that its employees were potentially exposed to hazardous chemicals, inclusive of certain pipe adhesives;

of inspection, nor did it provide its employees with either chemical or site-specific training as required in the applicable safety standards.

During OSHA's inspection, water was observed in the trench, extending across about 90% of its length. Although there was conflicting evidence of the source of the water—that it was either coming from groundwater at the bottom and sides of the excavation or from piping that was being tested as it was being connected by other Kattera employees—it was undisputed that the presence of the water changed the soil classification in the trench and it increased the risk of collapse as well as presented a possible slip-and-fall hazard. The presence of water in the trench should have required a re-evaluation of the

Con Edison continued from P. 23

customer affordability programs as well as IT infrastructure and tools that will better serve customers' needs. The filing starts an 11-month PSC process that will include public hearings and opportunities for local governments, consumer groups, environmental advocates and others to provide written testimony.

In its requisition, Con Edison stated, "The proposed electric and gas rate plans will support economic growth and development in New York City and Westchester County by investing more than \$21 billion over three years (2026-2028) to build new infrastructure, such as transmission, substation and distribution facilities to serve customers, including those

in disadvantaged communities, and it will help ensure compliance with New York State's Climate Leadership and Community Protection Act."

Additionally, the plan estimates that increasing property taxes on energy infrastructure paid by customers account for nearly 27% of the proposed electric revenue increase and about 14.5% of the proposed gas revenue increase.

"Con Edison is proud to serve more than nine million people in New York City and Westchester County, supporting the vital economic, health, and transportation networks that keep our region thriving," said Matthew Ketschke, president of Con Edison. "Our top prior-

ity is to deliver safe, reliable, and affordable energy to our customers. Our proposed investment plan will support critical work and investments in reliability, resiliency and clean energy infrastructure to meet the high expectations of our customers, who depend on us to deliver the most reliable electric service in the nation."

Among the projects included in the utility's investment plan are:

- a substation complex in eastern Queens to support the growing demand for power from the redevelopment of JFK Airport;
- MTA bus depots and customer electrification in the Jamaica network that will also help to lower

emissions contributing to cleaner air quality for the community;

- a clean energy hub in Brooklyn;
- Distributed System Technology Platform to integrate renewable energy sources and maintain grid stability during extreme weather;
- an electrification pilot for private, affordable multi-unit buildings to help address the affordability impact of heating electrification through bill credits to tenants not covered by rent control and residents in low-income co-ops;
- expansion of service installation programs for new businesses, including electric vehicle infrastructure and building heating electrification. ■

New Housing Development Surge Not Spiking School Enrollments: Study

By JOHN JORDAN

WHITE PLAINS, NY—A newly released report on the new multifamily housing development boom and its impacts on communities in Westchester County refutes the long-standing premise that new housing development will result in large increases in student enrollment, resulting in higher school tax burdens for local taxpayers.

The report, authored by commercial real estate brokerage firm RM Friedland, chronicles the significant residential housing development activity since 2021 when approximately 27,500 units



Concerns about overcrowded schools and strained infrastructure, often raised in opposition to large housing developments, have proven to be largely unfounded in Westchester County.

of new housing have either been completed and delivered (12,500) or are currently under construction (15,000).

Most of the new projects have been concentrated in New Rochelle, Yonkers, White Plains and Mount Vernon. More suburban villages and towns like Armonk, Sleepy Hollow and Port Chester have also seen a surge in new housing. Occupancy rates across major projects have remained high, the report states.

One of the report's major findings is that new multifamily housing development has not resulted in spikes in student enrollment in impacted school districts.

The report, which was released at the Business Council of Westchester's and the Fordham Real Estate Institute's annual real estate development conference at 360 Hamilton Ave. in White Plains, stated: "Concerns about overcrowded schools and strained infrastructure, often raised in opposition to large housing developments have proven to be largely unfounded in Westchester County. Evidence from New Rochelle and Yonkers reveals a decrease in student populations despite substantial residential growth."

In fact, the report noted that enrollment data across Westchester County reveals that, among 40 school districts, only four—Ardsey, Dobbs Ferry, Elmsford and Yorktown Heights—experienced an increase in student populations between 2018 and 2023.

"Notably, these districts are in municipalities that have not seen significant residential development during this period, highlighting a stark contrast with the larger cities undergoing extensive growth. It is also noteworthy that these four school districts saw negligible increases ranging from seven to 24 students (0.7% – 1.45% increase)," the RM Friedland report stated.

RM Friedland officials presented the findings of its report entitled: "A Frontline Report of New Development in Westchester County, New York: Surprising Impacts and Opportunities" at the Fordham/BCW event. John Barrett, co-managing director at RM Friedland, explained that the report did not include proposed housing units that are in the pipeline that are currently in the municipal



TRANSPORTATION

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The long wait for Gateway Tunnel construction is over. The \$16.1 billion program is the largest infrastructure project in the country and will provide steady work for Local 825 members for years to come.

Reconstruction of the Portal North Bridge is nearing completion. Groundbreaking on the Tonnelle Ave. bridge and utility relocation has begun and preparation for a new tunnel under the Hudson River is taking place.

And who better than Local 825 of the International Union of Operating Engineers, who recently bored the 3.5-mile Delaware Aqueduct water tunnel beneath the Hudson 70 miles up river, to handle the challenging work ahead.

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GREG LALEEVE
Business Manager
IUOE Local 825

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Financial Management

A Keyway to Succeed at Succession Is by Laying the Proper Groundwork

By PHILLIP ROSS, CPA, CGMA, PARTNER

For many construction firm owners, the right transition isn't just about choosing the right exit strategy or succession plan, it's about ensuring the business is in the strongest possible position before a transition even begins. That's why this is one of the most difficult decisions of ownership and why the keyway to a successful transition is through preparation—be it an owner con-

If key decision-making still rests solely with the owner, transitioning will be far more difficult. Owners should focus on leadership development early, mentoring key employees and providing structured opportunities for them to take on more responsibility.

A Profitable, Scalable Business: No matter the succession path, financial health is paramount. Construction

that do budgeting and projections and monitor them constantly tend to be more successful and better positioned for transition. Owners should proactively work with advisors to structure the business in a tax-efficient manner before a sale or transfer.

Competitive Differentiation Matters: It's all about the niche. A construction company with a defined market

financial oversight and monitoring are key. Owners should establish clear governance structures and decision-making frameworks and strengthen the internal controls for contractual and risk management practices.

Firms that have invested in technology and internal systems are generally more efficient and can improve long-term scalability. With all transition options, firms need to have a strong culture that fosters employee engagement and retention.

Planning and Preparation: The best succession plans are those that start early, years before an actual transition takes place. Engaging financial, legal and other advisors well in advance allows for thoughtful planning, putting the business in the best light possible and the time to carefully evaluate all the options. Owners who wait until they are ready to exit often find themselves with limited options, rushed decisions and lower valuations.

By focusing on leadership development, financial strength, competitive positioning, and operational efficiency, construction firm owners can expand their options, increase value and set the company up for future success. These options all have their respective advantages and challenges.

Many construction firms and contractors are family-owned businesses, making family succession a natural choice. For other companies, merging with another construction firm can provide synergies that benefit both parties, such as expanded geographic reach, access to new client



bases and operational efficiencies. If maximizing value and ensuring a clean exit are top priorities, selling to another construction company—whether a competitor, a larger industry player or a strategic buyer—can be the best route.

Today, two additional options that are more prevalent than in previous years are private equity investment and ESOPs. Private equity firms are increasingly interested in construction businesses, particularly those with strong cash flow, niche expertise, or regional dominance. Meanwhile, ESOPs allow employees to acquire ownership through a trust, providing tax advantages to both the seller and the company. ESOPs can boost employee engagement and retention as workers become financially invested in the firm's success.

The Bottom Line: A well-prepared business isn't just easier to transition, it's more valuable, more resilient and more likely to continue to be successful.

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. ■

Beyond leadership and financials, the company's operational efficiency plays a major role in succession planning. A well-structured business with documented processes, with risk management protocols, is likely to thrive post-transition.

sidering family succession, an internal buyout or ESOP (Employee Stock Ownership Plan), selling to private equity or merging or selling to another firm.

A company with strong current and future leadership, solid financial performance, a clear market niche and sound business practices will not only attract better succession opportunities, it will command higher valuations and ensure long-term stability.

Strong Leadership—The Backbone of Any Transition: A leadership team capable of running the business effectively, whether or not the current owner is involved, is one of the most critical elements of succession planning. Prospective buyers, investors, or next-generation leaders want to see a management team that understands both the operational and strategic aspects of the business.

firms with strong balance sheets, steady cash flow and profitability are more attractive to buyers, investors and even family successors. A history of consistent earnings and well-managed project pipelines signals a stable operation and a well-capitalized company is one that will have more options when it comes to succession planning.

Longstanding client relationships and a strong foothold in a niche are also important in maintaining profitability. Firms with specialized experience in specific industries, or a standout geographic spread across multiple regions, will generally perform better than their competitors and be more attractive to potential buyers.

Firms that have clear processes, controls and systems in place are more attractive candidates. Companies

position, whether based on geographic dominance, specialized expertise, or long-term client relationships, is far more attractive to buyers and investors. Firms that operate in highly competitive, low-margin sectors without a clear differentiator may struggle to generate interest or command premium valuations. Owners should assess whether their firm's reputation and specialization provide a strong foundation for future success and are attractive to potential future owners.

A Well-Run Company Commands Higher Value: Beyond leadership and financials, the company's operational efficiency plays a major role in succession planning. A well-structured business with documented processes, and risk management protocols are likely to thrive post-transition. As discussed above, strong

Housing Development Continued from P. 28

approval process.

"As a company, we are tracking another 10,000 units that are not under construction yet, but they are appearing before boards, or the ideas have been floated with local municipalities. This is unprecedented for Westchester County," Mr. Barrett related.

One of the report's major findings is that new multifamily housing development has

not resulted in spikes in student enrollment in impacted school districts. The report stated: "Concerns about overcrowded schools and strained infrastructure, often raised in opposition to large housing developments, have proven to be largely unfounded in Westchester County. Evidence from New Rochelle and Yonkers reveals a decrease in student populations despite substan-

tial residential growth."

The report on new residential development's impact on student enrollment in Westchester mirrors the findings of a report released by the Welcome Westchester advocacy group back in late March of 2022.

That report found there wasn't any data from recent large multifamily developments in suburban Westches-

ter communities to substantiate fears of a surge in student enrollment expressed by local opponents of those development projects.

Key findings from the Welcome Home Westchester report included that recent housing developments did not have a major impact on school enrollment; in none of the multifamily residential projects with at least 100

units examined did children associated with the project and enrolled in the local school district equal or exceed 1% of the school's total enrollment. Also, in all cases, the projects generated a net positive financial benefit to the school taxes, even after taking into account the costs of educating enrolled school children living in the multifamily housing. ■



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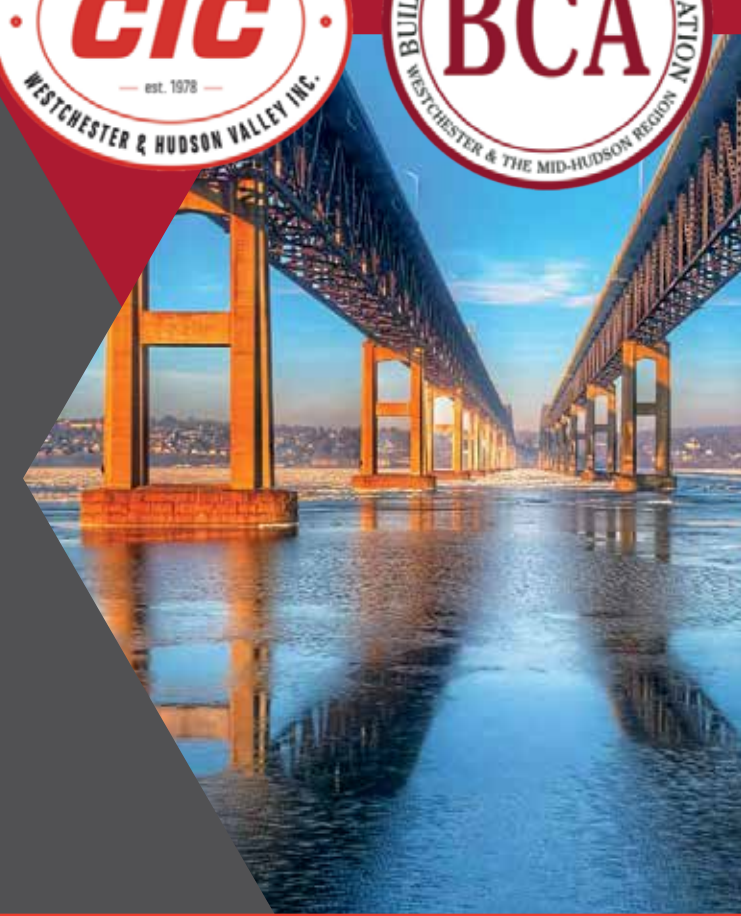


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LOW BIDS

NYSDOT Welcomes In 2025 With 10 Bid Awards in Downstate, Peckham Named for Taconic Paving

ALBANY—The New York State Department of Transportation recently announced the selection of 10 apparent low bidders for work in the New York City-Hudson Valley regions.

Roadwork Ahead Inc. of Syosset, NY was the lowest of four bidders at \$1,216,073.04 for ADA requirements at various locations in the Bronx and Queens in New York City.

El Sol Contracting (ES II Enterprises) of Maspeth, NY was the lowest of seven bidders at \$7,410,000. for

bridge deck replacement on Dewitt Ave. over the Sprain Brook Parkway in the Village of Bronxville, the Town of Eastchester and the City of Yonkers in Westchester.

DeAngelo Contracting Services, LLC of Hazelton, PA was the lower of two bidders at \$893,885. for highway vegetation management at various locations in Columbia, Dutchess, Orange, Putnam, Rockland, Ulster and Westchester counties.

Bove Industries of Setauket, NY was the lowest of six bidders at \$25,465,000.

for bridge—where & when maintenance—at various locations in The Bronx, Kings, New York, Queens and Richmond counties.

Zaman Construction Corp. of Ozone Park, NY was the lowest of three bidders at \$36,722,448. for retaining wall maintenance at various locations in the City of New York in Kings, New York, Queens and Richmond counties.

Westmoreland Construction Inc. of The Bronx was the lowest of three bidders at \$5,363,333. for bridge/highway drainage cleaning

at various locations in The Bronx, Kings, New York, Queens and Richmond counties.

RDE Vincentis Construction of Binghamton, NY was the lowest of three bidders at \$830,439.62 for JOC Bridge Maintenance in 2025-2026 in Delaware and Sullivan counties.

ES II /Enterprises DBA El Sol Enterprises of Maspeth, NY was the lowest of seven bidders at \$2,942,165. for mobility improvements on the Clearview Expressway/Route I-295, in Queens.

Riverview Companies Northeast LLC of Stanfordsville, NY was the lowest of three bidders (not including one informal) at \$537,300. for biennial mowing at various locations along I-84 in Dutchess, Orange and Putnam counties.

Peckham Road Corp. of Hudson Falls, NY was the lowest of seven bidders at \$5,699,824.06 for resurfacing on the Taconic State Parkway/Route 55 to Tyrrel Road in the towns of La Grange and Pleasant Valley in Dutchess County.

Joe Lombardo, Mace, Moy, Wind River Land DPW Jobs

WHITE PLAINS, NY—The Westchester County Department of Public Works recently reported the selection of four apparent low bidders for work at facilities in the county.

Joe Lombardo Plumb-

ing & Heating of Suffern, NY was the lowest of seven bidders at \$1,851,458. for Terminal Building HVAC-1 and HVAC-2 upgrades at the Westchester County Airport in the towns of Harrison and North Castle and Village of

Rye Brook, NY.

Mace Contracting Corporation of New Rochelle, NY was the lowest of four bidders at \$342,000. for pool and bathhouse exit modifications at Playland Park in Rye, NY.

Moy Contracting Corp. of

Bedford, NY was the lowest of five bidders at \$856,497.50 for roof replacement at Camp Hemlock and Spruce Lake Dining Hall at the Sal J. Prezioso Mountain Lakes Park in the Town of North Salem, NY.

Wind River Environmental of Vernon, NJ was the lowest of three bidders at \$11,681,280. for removal and disposal of sewage sludge from the Ossining, Peekskill and Port Chester wastewater treatment plants. ■



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What's New & Who's News

Senate Confirms Sean Duffy As U.S. Transportation Secretary

WASHINGTON—The U.S. Senate voted 77-22 on Jan. 28 to confirm Sean Duffy to head the Department of Transportation. Democrats who previously expressed support for Mr. Duffy voted against him in protest of President Donald Trump's freeze on federal grants and loans, Sen. Richard Blumenthal (D-CT) told *CNN*.

Mr. Duffy had previously

advanced on a procedural vote of 97-0. "I am just so aghast and appalled by this funding freeze," Sen. Blumenthal said. "I can't support a nominee for the Transportation Department when he has power over road-building, bridge reconstruction that now is frozen in Connecticut. I'm hearing from officials there who are deeply worried. They can't pay

contractors. They can't meet payrolls. The president has thrown into chaos and confusion many of the programs under the responsibility of the secretary of transportation, and I need to hear from him a loud and clear protest before I can support him."

Mr. Duffy served as the U.S. representative for Wisconsin's 7th congressional district from 2011 to 2019.

After resigning from Congress, he became a lobbyist. He first gained fame as a cast member on *The Real World: Boston*, 1998's *Road Rules: All Stars* and 2002's *Real World/Road Rules Challenge: Battle of the Seasons*, before going on to serve as district attorney of Ashland County, WI. He has also been a television commentator and has had stints on ESPN and Fox Business.



**Sean Duffy U.S.
Transportation Secretary**

Two New Yorkers Take Lead Roles at EPA

WASHINGTON—A former New York Congressman from Long Island and a former State Senator from the Hudson Valley are taking lead roles at the U.S. Environmental Protection Agency under the Trump administration.

Former Long Island Congressman and New York gubernatorial candidate Lee Zeldin was sworn in as Administrator of the EPA on Jan. 29. In addition, multiple published reports indicate that former New York State Senator Mike Martucci was recently appointed as Administrator for the EPA's Region 2, which covers New York, New Jersey, Puerto Rico, the U.S. Virgin Islands and eight Indian Nations.

Administrator Zeldin, born and raised in Suffolk County, NY, is currently in his 22nd

year in the United States military, having deployed to Iraq in 2006 with the Army's Elite 82nd Airborne Division and continues to serve as a Lieutenant Colonel in the Army Reserve. He served in the New York State Senate from 2011-2014 and later represented New York's 1st Congressional District in the United States House of Representatives from 2015-2023. He ran an unsuccessful campaign to unseat New York Gov. Kathy Hochul last year.

During his eight years in Congress, Zeldin worked across party lines to preserve the Long Island Sound and Plum Island. He supported key legislation that became historic, bipartisan success stories like the Great American Outdoors Act and Save

our Seas Act to clean up plastics from our oceans. He also led the fight for Sea Grant, combated per- and polyfluoroalkyl substances (PFAS) in drinking water, voted for the Lautenberg Chemical Safety Act, and supported clean energy projects on Long Island.

While no official announcement was made on Mr. Martucci's appointment, the U.S. EPA website lists Mr. Martucci as Administrator. He replaced Alyssa Arcaya, who had served as Region 2 Acting Administrator. The website now lists Ms. Arcaya as Deputy Regional Administrator: Mr. Martucci served as a member from 2021-2022 of the New York State Senate representing the 42nd District, which covers portions of Orange, Ulster, and Dela-



**Lee Zeldin,
EPA Administrator**



**Mike Martucci, NYS
Administrator, EPA Region 2**

ware counties as well as all of Sullivan County. During this two-year tenure in state government, he was a supporter of New York's Environmental Bond Act and passed legislation related to open space protection and inland waterway designation throughout his district.

A resident of Orange County, after graduating college, he founded a school transportation company, Quality Bus Service, which grew to a firm that employed more than 500 workers. A family farmer, he is also the owner of the parent company of *Mid Hudson News*.

Molinaro Eyed To Lead Federal Transit Admin.

WASHINGTON—Multiple published reports indicate that former Congressman and Dutchess County Executive Marc Molinaro is to be nominated by the Trump Administration to head the Federal Transit Administration. Mr. Molinaro has been a vocal opponent of New York City's congestion pricing program, *The Gothamist* noted and reported that several people briefed on Mr. Molinaro's pending appointment said they expected his nomination to be announced after the U.S. Senate confirmed Sean Duffy, President Don-



Marc Molinaro

ald Trump's nominee to lead the U.S. Department of Transportation.

MTA Appoints Justin Vonashek President of MTA Metro-North

NEW YORK—Metropolitan Transportation Authority (MTA) Chair and CEO Janno Lieber announced on Feb. 6 the appointment of Justin Vonashek to serve as President of MTA Metro-North Railroad. Mr. Vonashek will succeed Catherine Rinaldi, the first woman to lead the railroad, who is retiring after nearly seven years in the role.

Mr. Vonashek, who takes over leadership of the railroad April 1, joined Metro-North as Vice President of System Safety in January 2016, part of the railroad's push to improve safety following a series of incidents

in 2013. He was elevated to Senior Vice President of Operations, overseeing critical operational functions in December 2020 and finally to Executive Vice President and Chief Operating Officer in September 2023, where he has managed all aspects of the railroad's operations, including ensuring safety and operational excellence throughout the agency.

"Justin Vonashek has been a key player at Metro-North for years, helping the agency deliver sky high on-time performance and record customer satisfaction. We are fortunate to have such a



Justin Vonashek

seasoned executive ready to lead and make this transition a smooth one," said MTA

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Who's News Continued from P. 32

Chair and CEO Janno Libber. “Cathy Rinaldi leaves big shoes to fill. There aren’t many people talented enough to run two of the busiest commuter railroads in the country – let alone at the same time -- but she is one of them. We are grateful for her many years of exemplary service and wish her all the best in retirement.”

“I am honored that Janno has placed his confidence in me to lead one of the busiest commuter railroads in

the country,” said incoming Metro-North Railroad President Vonashek. “I’m grateful to Cathy for her 20 years of service to the MTA and for her guidance over the years as we have worked together at Metro-North. I am excited for the challenges ahead and look forward to continuing to deliver the best service possible.”

Metro-North is the second busiest railroad measured by ridership in the nation.

Ms. Rinaldi leaves an impressive legacy at both Metro-North and the Long Island Rail Road, where she served as interim president from February 2022 until October 2023. She is the first woman to serve as president of Metro-North.

As Metro-North president, she has overseen the best on-time performance in the railroad’s history, which stands at 98%, the fifth straight year it has exceeded 97%. She led

efforts to prioritize customer service and improve system reliability while continuing the intensive infrastructure work essential to maintaining system safety, including the opening of a brand-new maintenance and operations hub at Croton-on-Hudson and the installation of Positive Train Control.

During her tenure as interim president of the Long Island Rail Road, she oversaw the largest service increase

in the Long Island Rail Road’s almost 200-year history that began with the opening of Grand Central Madison and the Main Line Third Track Project.

In addition to Ms. Rinaldi’s roles at both the Long Island Rail Road and Metro-North, she has served as MTA Deputy Executive Director and General Counsel, and Chief of Staff and Counsel at MTA Headquarters. Rinaldi’s last day will be March 31.

State Gaming Facility Location Board Names Phillips, Reimers as Members

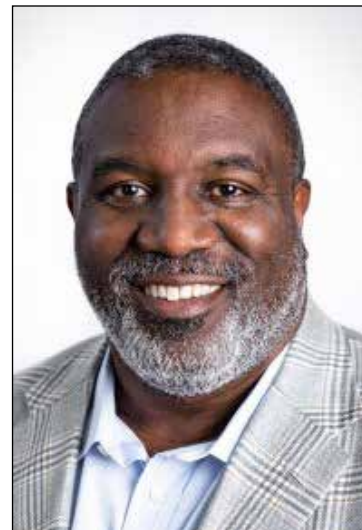
ALBANY—As a number of prospective casino projects in the downstate region wind their way through the municipal approval process as they prepare to file formal applications with the state later this year, the New York State Gaming Commission reported it had unanimously appointed Marion Phillips, III, and Greg Reimers as members of the New York Gaming Facility Location Board, which is overseeing the commercial casino siting process in the New York Metro region.

Mr. Phillips serves as the senior vice president for Community Development and DEI at *U.S. News & World Report*. Prior to joining U.S. News, he served as the senior vice president of Community Relations at New York State’s Empire State Development, managing development projects that included serving as the Chair of Queens West Development Corporation, president of the Atlantic Yards Community Development Corporation and chief administrative officer of the

New York Empowerment Zone Corporation.

Mr. Reimers is a retired real estate finance executive who recently completed a long real estate banking career as a managing director and market manager at JP-Morgan Chase. He previously served as an executive vice president at The Bank of New York.

Messrs. Phillips and Reimers join Chair Vicki Been, Stuart Rabinowitz and Carlos Naudon on the Gaming Facility Location Board.



Marion Phillips, III



Greg Reimers



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Region 8

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

Contract: D265424
PIN# 8LC111

Project Description: Putnam, Westchester counties, culvert replacements at various locations.

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

Goals: DBE: 10.00%

Bid Letting Date: Feb. 27, 2025

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

Contract: D265433
PIN# 881517

Project Description: Orange, Ulster counties, pavement ADA safety improvements at various locations.

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

Goals: DBE: 6.00%

Bid Letting Date: Feb. 27, 2025

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

Contract: D265442
PIN# 806513

Project Description: Orange Co., pavement resurfacing - Route 17 from Sullivan County Line to Route 302, PLA candidate.

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

Goals: MBE: 8.00%, WBE: 10.00%, SDVOB: 6.00%

Bid Letting Date: Feb. 27, 2025

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

Contract: D265448
PIN# 881440

Project Description: Columbia, Dutchess, Orange, Putnam, Rockland, Ulster, Westchester Cos., biennial graffiti removal - various locations.

Bid Deposit: 5% of Bid (~ \$20,000.00)

Goals: MBE: 0.00%, WBE: 0.00%, SDVOB: 0.00%

Region 10

Bid Letting Date: March 13, 2025

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

Contract: D265393
PIN# 005409

Project Description: Suffolk Co., safety & mobility improvements - NY 347 from Hallock Rd to CR 97, Town of Brookhaven., PLA candidate.

Bid Deposit: 5% of Bid (~ \$2,750,000.00)

Goals: DBE: 10.00%

Region 11

Bid Letting Date: March 26, 2025

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

Contract: D265361
PIN# X73152

Project Description: Queens Co., best value - bridge rehab - Brooklyn - Queens Expressway Viaduct over Laurel Hill Blvd, Between 47th and 58th streets, Prebid Meeting, Best Value Procurement, PLA Candidate.

Bid Deposit: 5% of Bid (~ \$7,500,000.00)

Goals: DBE: 10.00%

Westchester County DPW

Bid Due Date: Feb. 19, 2025

Contract: 21-508 (\$100.)

Title: Roof Replacement Program, Blind Brook Water Resource Recovery Facility, Mamaroneck Water Resource Recovery Facility and North Yonkers Pumping Station, Rye, Mamaroneck and Yonkers, NY

Description: The work under this contract consist of providing all necessary labor, material and equipment required for the full roofing system replacement and select structural modifications to select buildings at the North Yonkers Pumping Station including the Main, Maintenance, Screening and Hypochlorite Buildings; at the Blind Brook WRRF including the Control, Maintenance, Screening, Grit and Garage Buildings; and at the Mamaroneck WRRF including the Odor Control, Aeration and Sub-Station Buildings. Work involved will address the replacement of all building roofing systems, resetting or replacement of coping stones, caulking of vertical joints, installation of safety railings, walking pads, brick repointing, repair or replacement of expansion joints and other related work as necessary at the buildings noted above.

Bid Estimate Range: \$8.9 million to \$9.7 million.

Mandatory Pre-Bid Inspection: 10:00 a.m., January 29, 2025 meeting at New Rochelle Wastewater Treatment Plant -Administration Building, 1 LeFevres Lane, New Rochelle, 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.

Bid Due Date: March 5, 2025

Contract: 24-500 (\$100.)

Title: Biological Nitrogen Removal Media Replacement and Aeration Tank Rehabilitation, Mamaroneck Water Resource Recovery Facility, Mamaroneck, NY

Description: The work under this contract consists of providing all necessary labor, material and equipment required for the replacement of the biological nitrogen removal integrated fixed film activated sludge (BNR IF AS) media and the mixers in the aeration tanks at the Mamaroneck Water Resource Recovery Facility. Modifications to the aeration tank walls and sieves will also be conducted under this project. Work will include all mechanical, electrical, controls, structural and other appurtenances as necessary.

Bid Estimate Range: \$39 million to \$43 million

Mandatory Pre-Bid Inspection: 10:00 a.m., Jan, 28, 2025 meeting at Mamaroneck Water Resource Recovery Facility - Administration Building Lobby, 119 W Boston Post Road, Mamaroneck, 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 Opening Date: Feb. 11, 2025

Title: New York State Office of Mental Health, Rockland Psychiatric Center, Decommission Utilities Buildings 44, 45, 47, 48, 49 and 56, Asbestos and Mold Remediation

CR5 - General Construction

Project# 3690009999

Sealed bids for the above work located at Rockland Psychiatric Center, 140 Old Orangeburg Road, Orangeburg, NY 10962 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 - MOLLY GRUSS." 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 present government-issued picture identification to building security officials and obtain a visitors pass prior to attending the bid opening.

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 550 592 4065, Password 730959. 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 Feb. 11, 2025, 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: Christopher Headley, Chief Project Manager, 140 Old Orangeburg Rd, Bldg. 19, 2nd Floor UPS delivery: RPC Mailroom, Bldg. 57, Orangeburg, NY 10962, (646) 529-0012, CHeadley@DASNY.org (the Owner's Representative) and DASNY at ccontracts@dasny.org. Contacts made to other DASNY personnel regarding this procurement may disqualify the prospective bidder and affect future procurements with governmental entities in the State of New York. For more information pursuant to this law, refer to DASNY's website; <http://www.dasny.org> or the OGS website; <http://www.ogs.state.ny.us>.

A Pre-Bid Meeting is scheduled to be held on Jan. 14, 2025, at 1:00 p.m. at the DASNY Office located at Rockland Psychiatric Center, 140 Old Orangeburg Road, building #19, 2nd Floor, Orangeburg, N.Y. 10962. Contact Christopher Headley, Chief Project Manager, at (646) 529-0012, or CHeadley@DASNY.org to attend. All prospective bidders are strongly encouraged to attend.

A complete set of Contract Documents may be viewed and/or purchased online from Camelot Print and Copy Centers. Only those Contract Documents obtained in this manner will enable a prospective bidder to be identified as an official plan holder of record. DASNY takes no responsibility for the completeness of Contract Documents obtained from other sources. Contract Documents obtained from other sources may not be accurate or may not contain addenda that may have been issued. 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.

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