

CONSTRUCTION NEWS



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Construction Career Expo Draws 726 Students To Explore Job Opportunities in Skilled Trades

SUFFERN, NY— Hundreds of curious high school students got an inside look at the world of building and construction late last month at the 24th Annual Construction Career Day, the premier industry-sponsored career exposition in the Hudson Valley.

Students from six counties filled the Rockland Community College Fieldhouse on March 28 and learned first-hand how the industry’s “new collar” careers offer strong earning potential, job security and the ability to build a career right in their own communities—without the heavy financial burden of college tuition.

The event connected students with experienced union members and skilled trades professionals from 19 union organizations and four private-sector companies that led live demonstrations in plumbing, weld-



Blue Collar to ‘New Collar’ Jobs of the Future

Speakers at the Hudson Valley Construction Career Day at Rockland Community College on March 28 extolled the opportunities available through Union Apprenticeship training programs. From left, Allison Bashkoff of the Workforce Development Institute, Marty Sommer of NYS... of the Workforce Development Institute, Marty Sommer of NYS Union Teachers, New York Sen. Shelley Mayer, Jennifer Puja of the Westchester/Putnam Central Labor Body AFL-CIO, Putnam County Executive Kevin Byrne, Rockland County Executive Ed Day, Dr. Scott Kalicki of Rockland Community College, Lou Picani of Teamsters L.U. 456, Matt Pepe of the BCA, Chief of Staff John Mulgrew of Sen. Bill Weber’s office, U.S. Congressman Mike Lawler, Mary Jane Bertram of the Workforce Development Institute, Labor Leader Maria Kercado, Deborah Thomas of the Rockland County Workforce Development Board and H.V. Construction Career Day Coordinator Lucy Redzeposki.

ing, masonry, carpentry and metalwork. Attendees also had the opportunity to speak one-on-one with apprenticeship instructors about what it takes to join a registered apprenticeship program. These programs follow a “learn-while-you-earn” model, where participants receive classroom instruction and on-the-job training, earning wages that increase as their skills grow. Graduates earn nationally recognized credentials and join a workforce that continues to grow in demand.

Presented by the Construction Industry Council of Westchester & Hudson Valley, Inc. (CIC) and the Building Contractors Association of Westchester & Mid-Hudson, Inc. (BCA), Construction Career Day is designed to reinvigorate the industry’s labor force with

Please Turn to Page 12

Congestion Tolls Remain Thru October, Court Document Timeline Shows

NEW YORK—Court documents filed recently with the federal court in the legal battle between the federal government and the Metropolitan Transportation Authority concerning the controversial congestion pricing program in

New York City reveal that any court ruling will likely not be handed down until at least October.

An April 4 letter to U.S. District Court Judge Lewis J. Liman stated that the federal government, which has previously ordered the

MTA to cease collecting the congestion pricing tolls, revealed that the MTA and New York City Department of Transportation have agreed to a timeline of the filing of various motions, including motions to dismiss, which will push any possible court ruling into the fall of this year.

On Feb. 19, U.S. Transportation Secretary Sean Duffy sent a letter to New York Governor Kathy Hochul purporting to “terminate” the agreement authorizing the Congestion Pricing program. Sec. Duffy claimed that he had discovered an unwritten restric-

tion in federal law, a secret loophole establishing that the Congestion Pricing Program had never been lawfully authorized.

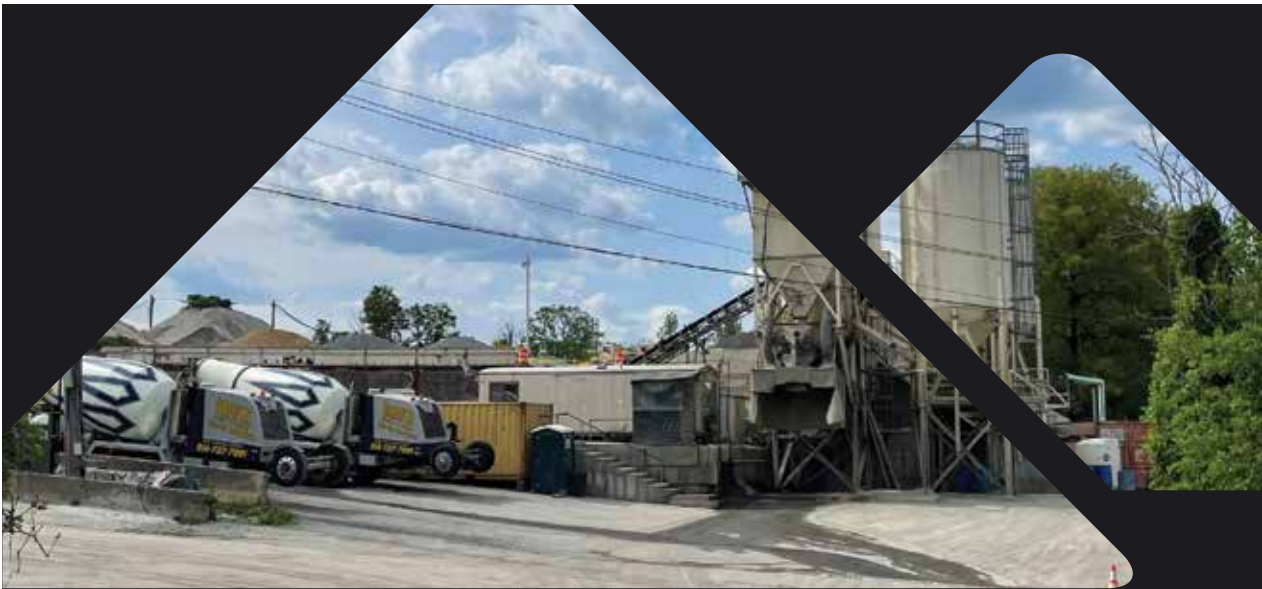
However, on March 20 Sec. Duffy announced he would extend the deadline for New York City to end its congestion pricing program for 30 days.

Since the USDOT’s initial order to shut down congestion pricing, the Riders Alliance and the Sierra Club filed a new legal complaint against the Trump Administration’s Department of Transportation for attempting to end New York City’s long-awaited Con-

gestion Pricing program, less than two months after the program’s successful launch. The legal com-

Please Turn to Page 12

Inside:	
NYC Update	3
Attorney’s Column.....	9
Albany Update	10
Economic Outlook	11
Financial Management	17
Safety Watch	20
Low Bids	21



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New York City Update

Hudson Tunnel Project Spurs \$4.5 Billion, 20,200 Jobs in Gross Economic Output

NEW YORK—The Gateway Development Commission called for a new economic impact analysis of the first five contracts in active construction on the Hudson Tunnel Project. The analysis released recently found that work underway will support 20,200 direct, indirect, and induced full-time equivalent (FTE) workers while generating \$4.5 billion in economic output and \$1.7 billion in labor income.

“When the Hudson Tunnel Project is complete it will deliver 21st century transportation reliabili-

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Project	Jobs Full-Time Equivalents	Labor Income*	Total Output*
Hudson Yards Concrete Casing – Section 3	4,800	\$400	\$900
Tonnelle Ave. Bridge & Utility Relocation	400	\$30	\$90
Hudson River Ground Stabilization	2,300	\$190	\$470
Palisades Tunnel	5,500	\$450	\$840
Manhattan Tunnel	7,200	\$620	\$2,080
Total: Contracts Awarded To-Date**	20,200	\$1,690	\$4,470

* In millions of dollars

** Columns may not sum due to rounding

Economic Impact of Hudson Tunnel Project

ty for millions of passengers. Today it is delivering good jobs for workers and new business for American companies,” said GDC CEO Tom Prendergast. “Every time we launch work on a new construction site for this megaproject, we have a major positive impact on the economy. It’s essential that we keep up the forward momentum and remain vigilant about its scope, schedule, and budget.”

The jobs and economic impact from investing in the HTP overwhelmingly benefits domestic workers and businesses, with 94% of the \$2.2 billion in capital spending from active construction expected to remain within the United States. Moreover, construction in the New York metro region is supporting labor income across the country. Every \$10 spent on direct labor for the first five contracts supports \$17 in wages and benefits nationwide.

Some of the highlights of the report included:

- A new analysis shows the first five Hudson Tunnel Project contracts under active construction are supporting 20,200 direct, indirect, and induced full-time equivalent (FTE) equivalent workers while generating \$4.5 billion in economic output and \$1.7 billion in labor income.

- The project's major economic impact will overwhelmingly benefit the American economy and domestic workers and businesses. Roughly 94% of the over \$2.2 billion in total capital spending on these contracts is expected to be sourced within the United States.

- Investing in reliable transportation along the Northeast Corridor will not only strengthen the region that powers the American economy, but will benefit workers well beyond the project area. Every \$10 spent on direct labor for the first five contracts supports more than \$17 in wages and benefits across the country.

- This latest study analyzing the Gateway Development Commission's activity in the two years since the Hudson Tunnel Project's

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Route 17 Project Will Improve Safety, Traffic Flow and Lower Our Emissions

BY DANIEL ORTEGA

The Hudson Valley is growing—in population, tourism and business relocations and expansion—and with growth comes a greater demand for mobility. This isn’t a luxury, it’s a necessity—and our infrastructure needs to evolve with this reality.

Nearly half of New York’s major locally and state-maintained roads are in poor or mediocre condition, according to a new report by TRIP, a Washington, D.C.-based national transportation research non-profit. Worsening traffic is hindering commuting and commerce, while the traffic fatality rate has risen significantly since 2019, according to TRIP. Motorists are footing

the bill, to the tune of \$38 billion a year, due to increased vehicle operating costs, collisions, and traffic delays.

That’s why we commend Gov. Kathy Hochul for including \$800 million in additional funding for roads and bridges statewide in her executive budget. Here in

Widening Route 17 isn’t about inviting more traffic; it’s about handling the existing flow more effectively.

the Hudson Valley, there’s another key piece of infrastructure in need of enhancement: Route 17.

Efforts are underway to improve mobility on Route

17 in Orange and Sullivan counties by adding a third lane east and west, along with making other upgrades to convert the corridor to Interstate 86. The project enjoys bipartisan backing at every level of government. The state Department of Transportation has been re-

portion of funding already allocated at the state level—the work is far from over. As the project progresses, additional resources and continued political will are essential to carry it across the finish line. After 40 years of waiting, we can’t afford to lose momentum. Public awareness and involvement will be critical in the months ahead—through public meetings, outreach to elected officials and community support. DOT will continue to collect comments from the public over the next few months as part of the environmental impact study.

An extra lane will ensure quicker access for emergency services—helping police, fire and ambulance teams respond faster. This means a safer journey for everyone, whether driving to work or a medical appointment or taking children to school.

An additional lane will ease congestion to tourist





Daniel Ortega
Community Affairs
Engineers Labor-Employer
Cooperative (ELEC 825)

destinations and support local businesses that rely on efficient transportation for deliveries. Smoother traffic flow translates to less idling and, consequently, lower emissions—benefiting our environment.

Please Turn to Page 11

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NEWS



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Dormitory Authority Plans \$150M Center in Valhalla


BY JOHN JORDAN

ALBANY—The Dormitory Authority of the State of New York issued a request for proposals (RFP) on April 10 to provide construction management services for the design, construction and administration of a new “Secure/Specialized Secure Youth Detention Facility” at the Grasslands complex in Valhalla, NY.

The project entitled “Westchester County - Raise the Age (RTA) - New Specialized Secure Youth Detention Facility Project” is located on the grounds of the existing Woodfield Cottage Facility located at 20 Hammond House Road. The new facility will contain a maximum of 80 beds for juveniles. The Dormitory Authority states that the design of the new juvenile correctional facility shall “encourage rehabilitation by focusing on juvenile correctional facility design principles that are restorative, such as daylighting and calming acoustics, which create spaces in which young people can thrive.”

Responses to the RFP are due by May 9 at 3 p.m. Westchester County sends overflow adolescent offenders to other state facilities that can provide the appropriate housing. With the state’s support, Westchester County has been granted considerations to design and build a new facility on the grounds of its existing Woodfield Cottage Facility, the Dormitory Authority wrote in the RFP.

The new three-story building will total 120,532 sq/ft, built on a 2.5-acre parcel of county-owned land on the Grasslands campus. The RFP documents state that the project construction budget is \$150 million.



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The Dormitory Authority noted in the RFP documents that the existing Woodfield Cottage facility will remain in full operation during construction of the new youth detention building. Once the new facility is complete, youth will be transferred to the new building and demolition of the old building will begin. Once demolition is complete outdoor recreation facilities and a parking lot will be constructed for the new facility.

A Pre-Proposal Meeting will be held via Microsoft Teams on April 23, 2025, at 1:00 pm. Attendance is strongly encouraged. According to the project timeline, an award for construction management services is scheduled for June 4, 2025. The construction manager will not be eligible to be on the Design/Build team for the construction of the project.

The remainder of the project timeline calls for the Design-Build Procurement by June 2026, with the substantial completion of all work involving the construction of the new building, the demolition of the existing facility and site work by January 2030. ■

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Carpenters, Orange County DA Vow to Fight ‘Pervasive’ Tax Fraud in Construction Industry

By JOHN JORDAN

GOSHEN, NY—In what was promised as the first in a series of “Tax Fraud Days of Action” events in the Hudson Valley region, members of the North Atlantic States Regional Council of Carpenters and Carpenters Local No. 279 were joined by Orange County District Attorney David M. Hoovler to highlight the high cost of construction labor tax fraud and wage theft.

Joining District Attorney Hoovler at the April 8 press conference held at the Orange County Government Center were President Matthew Ross and Business Manager Scott Smith of Carpenters Local 279 and the North Atlantic States Regional Council of Carpenters along with approximately 100 members of Local 279 holding placards proclaiming “Stand Up to Tax Fraud” and “Tax Fraud Impacts Me.”

“There is a crime wage affecting hard-working New Yorkers that you won’t hear about on cable news,” Mr. Smith said. “Construction contractors and their under-handed schemes—shell companies, shady bank accounts and check cashing stores—are using them to avoid paying employees their full wages and benefits they have earned.”

He charged that labor tax fraud and wage theft cheats tens of thousands of construction workers and costs New York State taxpayers approximately \$1 billion each year.

Mr. Ross said that wage theft has “escalated into a significant crisis with corrupt contractors exploiting legal loopholes to evade consequences for their actions.”

District Attorney Hoovler explained that each year tax fraud in the construction industry costs Americans untold billions of dollars. Much of the fraud occurs through paying employees “off-the-books,” misclassification of workers, and improperly treating employees as independent contractors when they are in fact employees who are entitled to all the benefits and protections that New York State law affords.

“I have long prioritized supporting Orange County’s workers,” said District Attorney Hoovler. “This event not only recognizes the important issues facing the construction industry,



David M. Hoovler, Orange County District Attorney, highlighting the high cost of construction labor tax fraud and wage theft.

it serves to raise awareness of matters that both directly and indirectly impact members of our community. I am pleased to be working with organized labor in Orange County to ensure that contractors who cheat on taxes or illegally pay improper wages cannot enjoy an advantage over contractors who follow the law.”

Additionally, unscrupulous contractors who cheat have a competitive benefit over honest contractors who play by the rules, he said. Employees who are paid off the books suffer from not being able to obtain overtime and other benefits and must often pay additional taxes which should be borne by the employers.

“Tax fraud, construction fraud is pervasive across New York and across the Northeast and its costs us a ton of money,” District Attorney Hoovler said.

Since March 2015, the Orange County District Attorney’s Office has operated a Labor Crime Tip Line dedicated to receiving reports of crimes involving the workplace, particularly crimes involving failure to pay proper wages, unsafe working conditions, prevailing wage violations, workers compensation fraud, and other crimes where either employees or the government have been victimized.

District Attorney Hoovler stated that thus far the county has recovered approximately \$7 million from contractors who engaged

in labor fraud practices. He noted that his office would rather recover the funds than prosecute, but noted that over the years a number of contractors have been prosecuted and faced either misdemeanor or felony grand larceny charges.

He said the aim is to simply “level the playing field” for local union contractors who pay proper prevailing wages and benefits to their workers and that his office will continue to work with local organized labor to root out instances of tax and wage

fraud. Union officials praised the Orange County Industrial Development Agency for properly monitoring projects to ensure that they adhere to workforce and prevailing wage rules. However, they noted that the New York State Department of Labor, charged with enforcement of state wage laws, are severely understaffed and therefore it is left up to labor unions and the public to notify authorities of instances of labor fraud.


District Attorney Hoovler noted callers to the county’s Tip Line may leave information anonymously, or if they wish to be contacted by a District Attorney Office criminal investigator, they may leave their contact information. The telephone number for the Labor Crimes Tip Line is (845) 291-2107.

Union officials stated that the next local “Tax Fraud Day of Action” was scheduled on April 15 at the Westchester County Office Building in White Plains where members of the building trades and government officials are expected to be on hand. ■



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Construction Industry, Labor and Safety Advocates Push for Passage of Work Zone Safety Proposals

ALBANY—A host of construction industry, labor, government and safety advocates are pushing for several highway work zone safety programs and initiatives that are now part of New York Gov. Kathy Hochul's proposed state budget.

The Automated Work Zone Speed Enforcement (AWZSE) program is the result of legislation signed into law by Gov. Hochul in September 2021. The legislation authorized a five-year pilot program run as a joint effort by the New York State Department of Transportation (NYSDOT) and the New York State Thruway Authority (NYSTA) to enhance the state's ongoing efforts to slow motorists down in work zones to make them safer.

Since May 2023 when the AWZSE program was launched, more than 420,000 Notices of Liability have been issued statewide, with close to 78,400 repeat offenders. In locations where the cameras have been present more than once, fewer Notices of Liability are being issued, indicating that people are slowing down when cameras are present.

In addition to her proposal



New York adds cameras to catch speeders in work zones on state highways.

to make the AWZSE permanent, the governor's Budget also includes language to enhance penalties for assaults against transportation workers, extending protections similar to those provided to many MTA and retail workers. These actions will improve safety for both workers and drivers. Just last year, while setting up a work zone

on a Long Island Expressway ramp in Syosset, a car veered around Department of Transportation trucks, which were carrying attenuators. The driver got out of his car and accosted the highway maintenance crew for obstructing his trip up the ramp. The governor's proposal would hold bad actors accountable and deter actions like this in the future,

state officials noted.

"The men and women in labor who have dedicated themselves to improving our roads and bridges risk their lives every day to ensure the safety of all drivers," Gov. Hochul said. "By permanently driving down speeds in work zones and enhancing penalties for assaults against them, I am working to strengthen our laws to ensure these dedicated workers can make it home safely themselves."

Executive Director John Cooney, Jr., of the Construction Industry Council of Westchester & Hudson Valley, Inc., (CIC) added that his multi-employer trade association supports the governor's ongoing initiative. "The CIC thanks Gov. Hochul for including in her Executive Budget the inclusion of both the expansion of the automated work zone camera program and transportation worker protection from harassment and assault. We thank NYSDOT Commissioner Marie Theresa Dominguez and New York State Thruway Authority Executive Director Frank Hoare for standing up for transportation worker safety and highlighting the need for these two important budget worker safety items."

Mr. Cooney continued, "The construction and transportation industries deserve to have all workers involved to have a safe and protected work environment. The proposals for the expanded work zone camera program and expanded transportation worker harassment and assault protections deserve to be a final product of this year's New York State Budget."

In addition to executives

with NYSDOT, the New York State Thruway Authority, the New York State Bridge Authority and the MTA, a significant number of major construction trades and organized labor organizations have also voiced their support for the work zone safety measures.

New York State AFL-CIO President Mario Cilentio said, "Keeping highway workers safe is a priority for the union movement. These workers endure hazardous conditions while performing their jobs for our safety; we must protect them. We thank Governor Hochul for her commitment to addressing enforcement and more aggressive repercussions for repeat violators who endanger the workforce that keeps our roads safe and our infrastructure running smoothly."

New York State Building and Construction Trades Council President Gary LaBarbera said, "It is well-known that construction sites are inherently dangerous and the added hazards and less-controllable variants of roadways and highspeed traffic only increase the risks for highway workers. This is why we must continue to push forward key legislation that encourages drivers to proceed with more caution and mindfulness around highway work areas and holds them accountable when they act recklessly. We applaud Governor Hochul for her ongoing leadership and action on this important issue. Every hard-working New Yorker, including our brave tradesmen and tradeswomen working on our roadways, deserve to return home safely to their families at the end of each shift." ■

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Attorney's Column

Court Reminds Upstream Contractors To Adequately Protect Pass-Through Claims

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

A downstream contractor has no contractual relationship with a project owner; that relationship is between the general contractor (or, here, the construction manager, Hill) and the owner. Accordingly, parties downstream from the construction manager cannot sue the owner if they sustain money damages caused by the owner. In response to this lack of contractual privity, the downstream contractor and construction

Such a provision may also already be in place in the downstream contractor's boilerplate contract.

Under either provision, the party with the direct contractual relationship would, in turn, prosecute the downstream contractor's pass-through claim against the owner, and then give that contractor any recovery (or part thereof). The purpose of such an arrangement is to limit or liquidate the upstream contractor's

In the recent case of *E.W. Howell Co., LLC v. Hill International, Inc.*, an appellate court reminded us of a construction manager's duty of good faith and fair dealing to adequately protect a downstream contractor's claims.

Background

In April of 2010, the City University Construction Fund entered into a Construction Management Agreement with Hill International for the construc-



Thomas Welby, P.E., ESQ.



Gregory J. Spaun, ESQ.

The benefit to a downstream contractor is that claims which would otherwise be barred because of the lack of contractual privity with the owner can be adjudicated.

manager may enter into a liquidating agreement, or pass-through agreement, where the downstream contractor assigns its claim to the upstream contractor.

liability to the downstream contractor to the amount the upstream contractor recovers from the owner (or further upstream contractor).

tion of a new performing arts center at Brooklyn College. Two years later, Hill entered into a contract with E.W. Howell to be the general contractor for the

project. This contract contained an exclusive dispute resolution process whereby the City University of New York's (CUNY) Executive Director would make a determination as to the validity (and amount) of Howell's claim. To effectuate this process, the general contract required Howell to submit a Notice of Dispute to Hill within seven days of the claim arising, and 10 days later submit a "dispute report" with further information. Hill was then required to submit these documents to CUNY, along with its own dispute report setting forth the resolution Hill would like to see. An unfavorable decision from CUNY's Executive Director could be appealed to its Vice Chancellor (and, after that, only via an Article 78 proceeding).

Of course, such a dispute arose, and Howell submitted both required notices to Hill. While Hill eventually passed along these documents, there was a significant delay in doing so, and Hill also failed to investigate Howell's claims and prepare its own Dispute Reports as required by the contract. Ultimately, CUNY denied Howell's claims, citing, amongst other things, the failure to submit proper documentation. Howell then sued Hill, claiming that Hill frustrated Howell's rights under the dispute resolution process, and thereby breached the covenant of good faith and fair dealing found in its contract.

Decision

After discovery, Hill moved for summary judgment to dismiss Howell's complaint, arguing that Hill's failure

to submit certain paperwork did not contribute to the substantive reasons for the denial of Howell's claim and, therefore, Howell incurred no resulting damages. Howell opposed, claiming that there were issues of fact as to whether Hill's failure to timely pass along Howell's claims, and whether there was something contained in Hill's submissions to CUNY (which were not shared with Howell) or said at Hill's meeting with CUNY (at which Howell was not in attendance), that frustrated Howell's claims. The trial court granted the motion, finding that there was no frustration of Howell's claims.

Howell appealed, and the appellate court reversed. In doing so, the appellate court held that there were issues of fact as to whether Hill breached the covenant of good faith and fair dealing which, under well settled case law, "requires the [upstream] contractor to 'take all reasonable steps so that the [downstream contractor's] right to an eventual recovery, if any, from the [owner] w[ould] be protected.'" Accordingly, the appellate court reinstated the complaint and directed the matter to further proceedings and trial.

Comment

Liquidating agreements are an effective way to address the problem of a downstream contractor's lack of a contractual relationship with an owner—by having the party in privity with the owner essentially admit the validity of the downstream contractor's claims and then prosecute

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Albany Update

Federal Funding Cut for Resiliency Projects Will Slash \$325M in State Work: Gov. Hochul

ALBANY—New York Gov. Kathy Hochul released a breakdown of how the Trump administration’s cuts to the Building Resilient Infrastructure and Communities program will impact critical infrastructure and community resilience projects in New York State. With the action, the federal Department of Homeland Security has revoked more than \$325.5 million in funding for projects that have not yet begun construction.

Additionally, there is another \$56 million worth of projects where work has already begun, that are potentially at risk, state officials noted on April 8.

“In the last few years, New Yorkers have faced hurricanes, tornadoes, blizzards, wildfires and even an earthquake—and FEMA assistance has been critical to help us rebuild,” the governor said. “Cutting funding for communities across New York is short sighted and a massive risk to public safety. Without support for resilience projects now, our communities will be far more vulnerable when disaster strikes next.”

She noted that no state in the nation can backfill the massive cuts being proposed by the Trump administration, and she called on New Yorkers to stand united to call out the damage this will cause.

Mitigation is Key

New York State Department of Homeland Security and Emergency Services Commissioner Jackie Bray



In addition to the \$325.5 million in funding for projects in the pipeline, another \$56 million in work that has already commenced in New York State is also at risk by the federal government budget cuts.

said, “It is far more expensive to rebuild than it is to prevent damage before it happens. Mitigation is the best way to save taxpayer dollars and increase resiliency. These projects were created with the sole purpose of helping prevent further damage from the storms that continue to impact the residents of New York State.”

The Building Resilient Infrastructure and Communities program supports states, local and territorial governments and Tribal Nations as they work to reduce their hazard risk. The program aims to support communities as

they build capability and capacity. BRIC also encourages and aids innovation. It helps partnerships grow; supports infrastructure projects; and fosters flexibility and consistency.

Among the impacted projects in the New York City metro region are:

- \$50 million for the Central Harlem Cloudburst Flood Mitigation program to reduce storm-related runoff and flooding spurred by high intensity rainfall events through the strengthening and improvement of storm-water infrastructure.
- \$50 million for the

East Elmhurst Cloudburst Flood Mitigation to reduce storm-related runoff and flooding spurred by high intensity rainfall events through the strengthening and improvement of storm-water infrastructure.

- \$42.4 million for the Seaport Coastal Resilience Project to reduce flood risk to the Historic South Street Seaport by strengthening and improving infrastructure to mitigate impacts from multiple hazards including coastal flooding, sea level rise, extreme precipitation and urban heat island effect.
- \$46.6 million for the Kis-

sen Corridor Cloudburst Hub to reduce storm-related runoff and flooding spurred by high intensity rainfall events by integrating traditional underground drainage infrastructure with above-ground solutions into ongoing urban infrastructure planning.

- \$47 million for the Corona East Cloudburst Hub to reduce storm-related runoff and flooding spurred by high intensity rainfall events by integrating traditional underground drainage infrastructure with above-ground solutions into ongoing urban infrastructure planning. ■

IBEW L.U. 1783 Pension to Receive \$46M in Federal Rescue Funding

WASHINGTON—Following years of seeking relief for an ailing multiemployer pension plan for union workers, New York’s International Brotherhood of Electrical Workers (IBEW) Local Union 1783 Fund, which covers electrical workers in the Hudson Valley, will receive an approximately \$45.9 million pension-fix, it was announced late last month.

The federal relief, which is coming from the American Recue Plan, was spearheaded by U.S. Senator Chuck

Schumer to restore full pension benefits for approximately 850 union workers and their families in the Downstate region.

He said that hundreds of hard-working union families were at risk of losing their pensions through no fault of their own – an amount he said was \$45 million for 850 IBEW workers across the Hudson Valley and New York. “These are the Hudson Valley union electricians who repair machinery and toil in the ware-

houses that drive our economy forward,” Sen. Schumer said. “They worked hard, played by the rules, and paid into pension plans that were at risk of being drastically cut or even completely disappearing.”

Retirement security is a massive and unrecognized crisis that will impact every American, not just Union members, he explained. “Our lives should not be that we work until we are too sick or drop dead at work because we cannot



afford to retire. Unlike the 401k retirement plans that routinely get wiped out by market shifts, defined benefit pension plans promise

a guaranteed future.” He added that the hardworking people who relied on those guarantees “were nearly left destitute.” ■

Economic Outlook

Will Trump's Tarriff Turmoil Cause Inflation? Disruptions Create Uncertainty, Drive Up Prices

By MICHAEL J. PATON

Tariffs—long used as a government policy tool to protect domestic industries, generate revenue and influence international trade—also raise the economic concerns that they fuel inflation. This discussion point is complex because it involves direct and indirect effects on prices, consumer behavior, supply chains and economic growth.

A tariff is a tax imposed

the price of imported goods by the amount of the tax imposed. For example, if a government imposes a 10% tariff on imported steel, the cost of steel rises accordingly. This increase in costs can lead to higher prices for consumers and businesses that rely on imported materials.

When businesses face higher costs due to tariffs, they often pass most of these costs

tion. Tariffs can alter global supply chains, making it more expensive or difficult for businesses to obtain materials and products from traditional sources. Companies may need to find alternative suppliers, which can lead to inefficiencies and increased costs. Disruptions can create shortages, further driving up prices. Tariffs can reduce competition by limiting the

Going back to the Great Depression in the 1930s, the Smoot-Hawley Tariff imposed high duties on imports. While its primary effect was a decline in international trade, it also led to higher prices for imported goods. However, the overall economic downturn and deflationary pressures outweighed inflationary effects at the time.

In 2018, the U.S. imposed tariffs on Chinese imports for steel and aluminum as well as consumer electronics and apparel. China retaliated with its own tariffs on U.S. exports, escalating trade tensions. Studies found that U.S. businesses and consumers bore most tariff costs, leading to higher prices for goods such as washing machines and automobiles. The U.S. inflation rate increased modestly, but other factors (e.g., monetary policy and economic conditions) also played a role in price changes.

While tariffs can contribute to inflation, arguments suggest that their impact is not always significant. Some businesses choose to absorb higher costs rather than pass them on to consumers. This is more likely when competition is strong and companies fear loss of market share. If tariffs lead to reduced economic growth or weaker consumer demand, deflationary pressures can counterbalance inflation. In some cases, tariffs have coincided with economic slowdowns, limiting their inflationary impact. Consumers



and businesses may shift to domestic alternatives, which could stabilize prices if domestic production is efficient.

In conclusion, tariffs can cause inflation by raising prices for imported goods, increasing production costs and disrupting supply chains. Empirical evidence suggests that tariffs often contribute to short-term inflation, though their long-term impact depends on various economic conditions. While tariffs serve policy objectives such as protecting domestic industries, they come with trade-offs, including potential inflationary pressures. Policymakers must carefully consider these effects when designing trade policies to balance economic stability with national interests.

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Beyond the direct increase in prices, tariffs can have broader macroeconomic effects that contribute to inflation. Tariffs can alter global supply chains, making it more expensive or difficult for businesses to obtain materials and products from traditional sources.

on imported goods, which increases the price of these goods for consumers. Tariffs can be implemented for assorted reasons that include protecting domestic industries. By making imported goods more expensive, tariffs encourage consumers to buy domestically produced alternatives, which generate government revenues to provide a source of income for the government. Tariffs, too, can be used in response to unfair trade practices by other nations. While tariffs can achieve these objectives, they also have consequences for prices, wages and overall economic stability, making them a focal point in any prismatic discussion on inflation.

Tariffs directly increase

on to consumers. This results in increased prices for goods and services, contributing to overall inflation. In addition, many industries depend on imported raw materials and intermediate goods. Tariffs raise the costs of these inputs, leading to higher production expenses and, ultimately, higher consumer prices.

Tariffs often target specific industries, such as steel, aluminum and electronics. When tariffs drive up costs in these industries, related products (e.g., automobiles or appliances) also become more expensive, contributing to inflation in particular sectors.

Beyond the direct increase in prices, tariffs can have broader macroeconomic effects that contribute to infla-

number of foreign goods available in the market. With fewer choices, domestic producers may increase prices, leading to inflationary pressures. Reduced competition can also lower incentives for efficiency and innovation, potentially leading to sustained higher prices.

The broader research is mixed. Research by the National Bureau of Economic Research found that tariffs tend to have inflationary effects, particularly when they target broad categories of goods. The Federal Reserve has noted that tariffs can contribute to short-term inflation but that their long-term effects depend on factors, such as monetary policy and global supply chains.

Route 17 Continued from P. 4

Widening Route 17 isn't about inviting more traffic; it's about handling the existing flow more effectively. For example, in the fall of 2014, the New Jersey Turnpike introduced a widened highway in central New Jersey. Similar to the Hudson Valley, that region faced a population surge and job growth that had stretched its 35-mile corridor to capacity.

Our region is booming with a significant population increase: Orange and Sullivan are among the top five fastest-growing counties in the state. Tourism is at an all-time high: Some 6 million people visit Orange County each year and the Sullivan Catskills draw upward of 4 million.

While investing in public transportation is key for long-term sustainability—a convenient one-seat ride into Midtown Manhattan from Port Jervis or Middletown being one attractive option—we must recognize that cars and trucks will remain a part of our daily lives. Enhancing Route 17 isn't a short-term fix; it's an investment in our region's sustainability. Now is the moment to raise our voices and help ensure this vital investment in safety and mobility becomes a reality. ■

About the author: Daniel Ortega is a founding member of 17-Forward-86 and community affairs chief for Engineers Labor-Employer Cooperative Local 825.



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Career Day Continued from P. 1

young talent.

“We want students to see that the trades are not just a backup plan—they’re a first-choice career path,” said Matthew Pepe, Executive Director of the BCA. “The demand for skilled labor is increasing, and we’re seeing infrastructure investments at the state and federal levels, so there is clearly a need for these critical skills. We’re proud to be a part of this important effort to enhance our workforce, invest in our communities, and strengthen our overall economy.”

The 2025 Construction Career Day attracted 726 students and more than 90 chaperones from 33 high schools and learning centers in Rockland, Sullivan, Orange, Ulster, Westchester, Putnam and Dutchess counties. According to the

exit data and school registrations, approximately 20% of the students were female and more than 60% were listed as minority.

Rockland County Executive Ed Day praised the Construction Career Day program. “I am proud to once again host Construction Career Day here in Rockland County,” Mr. Day said. “All too often, schools put value on college and don’t put good value on the trades, which offer tremendous options for our young people.”

U.S. Rep. Mike Lawler (CD-17), New York State Sen. Shelley Mayer (WF-37SD) and Putnam County Executive Kevin Byrne as well as a representative from the New York State Department of Labor also attended, expressing strong support for the campaign. Rep. Lawler presented the BCA

with a Congressional Proclamation recognizing its contributions to the construction industry.

This year, CIC and BCA introduced a new component to the career program—Career Night—an open-house tailored for parents and their children to explore careers together. Held March 27, more than 75 students attended and engaged with trades professionals to learn about careers and apprenticeships. Students seeking apprenticeship opportunities are expected to have a high school diploma or equivalent GED. There are more than 20 skill trades represented among the building and construction trade unions. For information about apprenticeship programs and job opportunities, visit cicbca.org/union. ■

Congestion Pricing Continued from P. 1

plaint charges that the Trump administration made serious legal mistakes in its rush to deprive New Yorkers of the benefits of Congestion Pricing, and that these mistakes suggest that the administration is acting pretextually. The groups filed to join the MTA’s lawsuit in the U.S. District

Court for the Southern District of New York as interveners.

In addition, the MTA released two positive reports for January and February showing that revenue from congestion pricing had exceeded its expectations. The MTA announced on March 24

that from Feb. 1 through Feb. 28, tolls from the Congestion Relief Zone (CRZ) generated \$51.9 million in revenue with a net after expenses of \$40.4 million. This keeps the program on track to provide the \$500 million that was initially projected, MTA officials stated.

Congestion Polling By the Numbers

- Traffic was down 11% in the CBD this past February compared to the same time last year.
- Three million fewer vehicles entered the CBD in January and February compared to the same time last year.
- Traffic was moving up to 30% faster on bridge and tunnel crossings in February compared to the same time last year.
- Commuters are saving up to 21 minutes per trip into the CBD.
- Bus service was faster throughout the CBD, with up to 23 customer trips on express buses delayed 10 minutes or more.
- Complaints about excessive car horn honking within the CBD were down by more than 70% in January and February compared to the same time last year.
- Broadway show attendance was up 19% in January and February compared to the same time last year.
- Restaurant reservations in the CBD rose 5% from January to mid-March compared to the same time last year.
- Retail sales in the CBD are on track to be \$900 million higher in 2025 compared to last year.
- Workers coming to the office in the CBD on an average weekday increased 6.6% in February compared to the same time last year.
- Transit ridership in January and February 2025 has grown significantly compared to the same time last year—bus ridership is up 9%; subway ridership is up 6%; Long Island Rail Road ridership is up 8% and Metro-North Railroad ridership up 4%.

Congestion Pricing Revenue Hits Revenue Targets in February

The Metropolitan Transportation Authority announced on March 24 that from Feb. 1 through Feb. 28, tolls from the Congestion Relief Zone (CRZ) generated \$51.9 million in revenue with a net after expenses of \$40.4 million. This keeps the program on track to provide the \$500 million that was initially projected, MTA officials stated.

“Once again, the extensive studies done are proving to be reliable as we close the second month of the program with revenue in line with projections,” said MTA Co-Chief Financial Officer Jai Patel. “The program continues to reduce traffic while generating projected funds for critical transit projects.”

\$51.9 million was collected from the tolling program, 24% of which comes from taxis and for hire vehicles (\$12.3 million), 66% comes from passenger vehicles, 9% from trucks, and 1% from buses and motorcycles. Meanwhile, 95% of revenue was gathered during peak tolling hours.

Expenses from the program, including operating camera infrastructure and customer service, amounted to \$9.5 million. Combined with another \$2 million for mitigation efforts, expenses totaled \$11.5 million. This resulted in a net surplus of \$40.4 million.

Congestion Relief revenue funds projects in the 2020-2024 Capital Program include: accessible stations upgrades, installing modern signaling on Fulton line in Brooklyn and Liberty Ave. in Queens on the A and C lines, new rolling stock, zero-emission buses, and extending the Second Ave. Subway into East Harlem.

On March 21, Gov. Kathy Hochul, business and transit leaders held a rally in Manhattan and reported that traffic is down and business is up in Manhattan’s Central Business District (CBD).

“Since congestion pricing took effect over two months ago, traffic is down and business is up – and that’s the kind of progress we’re going to keep delivering for New Yorkers,” Gov. Hochul said. “Every day, more New Yorkers are seeing and hearing the benefits for our commutes, quality of life and economy – and we’re not going back.”

MTA CEO and Chair Janno Lieber said, “Congestion relief is working, cars and buses are moving faster, foot traffic is up and even noise complaints are down. That’s why, in poll after poll, more and more New Yorkers are saying they want those benefits to stay – and they will.” ■

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ECCO III Begins Route 17, Exit 122 Upgrade

TOWN OF WALLKILL, NY—The major construction project to upgrade State Route 17’s Exit 122 interchange here in Orange County will reconfigure the roadway to meet federal interstate standards. The \$67.8-million project is now underway and will transform the eastern portion of the interchange to create a new roadway system that will enhance safety and improve traffic flow at this vital junction serving this fast-growing region of the state.

Exit 122 is a major interchange that links State Route 17 with Interstate 84 and provides access to a host of area retail centers, lodging and medical facilities. The new project, which also includes a new shared use path for cyclists and pedestrians, builds on the success of earlier work, completed in 2015, that reconstructed the western portion of the Exit 122 interchange.

NYSDOT officials described the project as the first phase of the eventual expansion of Route 17 in Orange and Sullivan counties. The Exit 122 project is part of an overall and ongoing effort by NYSDOT to upgrade a 30-mile stretch of the highway in Orange and Sullivan counties to in-

terstate standards. A scoping report for the project to enhance safety and mobility along this corridor was released in September last year. Earlier this year, NYSDOT reported that ECCO III Enterprises Inc. of Yonkers,

construction on NY Route 17 at Exit 122, Contract 2, in Wallkill. NYSDOT Commissioner Marie Therese Dominguez said the project has started and will create a state-of-the-art interchange at this location along with a

lector-distributor (C-D) service road adjacent to State Route 17 that will connect the highway with entrance and exit ramps at East Main Street/Crystal Run Road. The C-D road will serve to separate through-traffic on the highway from vehicles

flow and minimizing interactions between vehicles traveling at high-speeds on the mainline and those just entering and exiting the highway, NYSDOT officials stated. To accommodate the C-D road and new acceleration and deceleration lanes needed for this project, the bridge carrying State Route 17 over the Wallkill River at Exit 122 will be reconstructed. Seven lane miles of roadway, including all exit and entrance ramps, will be resurfaced with fiber-reinforced, warm-mix asphalt, which is more long lasting and durable than traditional asphalt; and new high visibility pavement markings and reflectors will be installed to further enhance safety.

A 10-foot-wide shared use path will be constructed along East Main Street/Crystal Run Road to provide pedestrians and cyclists with connections to local hotels, restaurants and medical facilities, including Garnet Health Medical Center. New curb ramps, pedestrian signals and crosswalks will also be installed at Crystal Run Crossing, the new westbound off ramp from State Route 17, the existing eastbound exit ramp and the medical center’s driveway. ■



Exit 122 links State Route 17 with I-84, and it provides access to a variety of retail centers, lodging and medical facilities. NYSDOT awarded the \$67.8 million contract to ECCO III Enterprises, Inc., for highway and bridge reconstruction in Wallkill, NY.

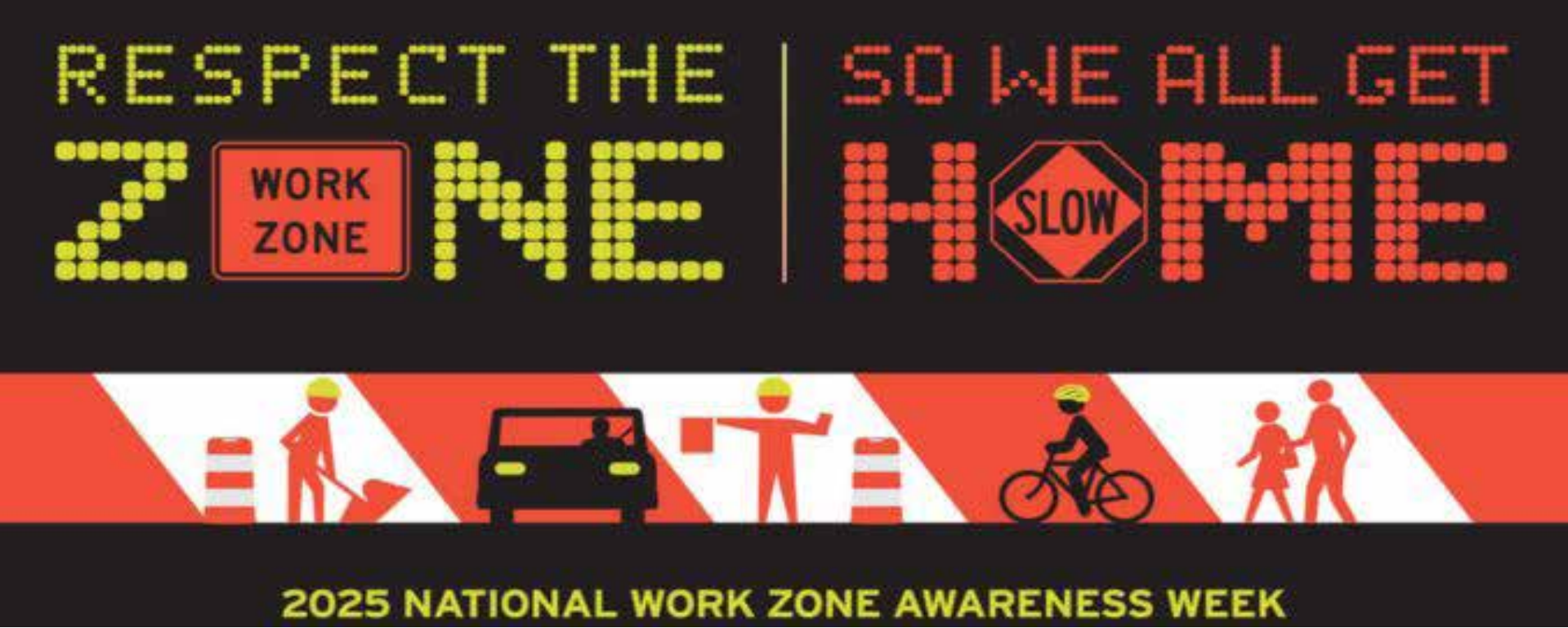
NY was the lowest of eight bidders at \$67,841,000. for highway and bridge reconstruction on NY Route 17 at Exit 122, Contract 2, in Wallkill. The centerpiece of the project is the creation of a new col-

Hudson Tunnel Project Continued from P. 3

groundbreaking supports a previous projection quantifying the impact over the full duration of construction. A 2024 report found that total construction will support 95,000 jobs (FTEs) and generate \$19.6 billion in economic activity. The report noted that the HTP has fully entered the construction delivery phase. The first package of work on the Tonnelle Avenue Project is expected to conclude before the end of 2025, creating access for the TBMs to begin

excavation and the alignment for the tunnel’s tracks to reach the Palisades. The report concluded “As ground breaks on each new contract for this once-in-a-generation project, the kitchen table benefits grow by orders of magnitude. These first five contracts will enable major construction over the next 13 years, as GDC sets the stage for tunneling under the Hudson River and building a viaduct, fan plants, railroad bridges, and much more.

Current and future construction will continue to drum up business for domestic suppliers and manufacturers, generate good-paying jobs with strong benefits, and increase household income for hardworking Americans interconnected by the HTP’s broad-based opportunities. By the time construction is complete and the new tunnel is serving riders with fast and reliable transportation, the investment in the HTP will have already paid for itself. ■



Hudson Valley Construction



2025 Hudson Valley Construction Career Event Participating Trades include: Bricklayers Local 1, Carpenters Local 279, Electrician Local 363, Electricians Local 3, Heat & Frost Insulation Local 91, Ironworkers Local 417, Ironworkers Local 580, Laborers' Local 235, Laborers' Local 60, Laborers' Local 754, Operating Engineers Local 137.

Career Day — March 2025



Operating Engineers Local 30, Operating Engineers Local 825, Painters DC9-FTI of NY, Plumbers & Steamfitters Local 21, Roofers & Waterproofers Local 8, Sheetmetal Local 38 and Teamsters Local 456.

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Financial Management

Pros & Cons of Internal Transition For a Contracting Firm's Succession

By PHILLIP ROSS, CPA, CGMA, PARTNER

Succession planning is a pivotal process for construction business owners that ensures their legacy endures, that wealth is preserved and that their company remains stable. Of the various options available and often favored is an internal transition—whether

including financial feasibility, leadership preparedness and valuation considerations. Business owners must carefully evaluate their options to determine the best course of action.

Successful construction businesses thrive on long-standing relationships

ture. Unlike external sales or mergers, which may disrupt company culture, an internal transition can ensure continuity in leadership and business philosophy.

It also stands to reason that those internal successors, whether family members or key employees, are

proach, such as a structured buyout or mentorship program, allows for a smoother leadership handover while minimizing operational disruptions. Keeping the business within the family or employee base can also enhance morale and commitment. Employees often feel more invested in the company's success when they have a direct stake in its future.

Similarly, a well-prepared family succession plan can provide long-term stability—with a proviso that the next generation is equipped for leadership.

However, challenges do exist in regard to internal transitions. Unlike external buyers who often bring substantial capital, internal successors may struggle to afford full market value upfront, as banks will typically not finance an entire deal. Owners may need to finance the sale themselves, which carries inherent financial risk. Furthermore, successors may need to utilize cash flow from company operations and profit-generating activities to help make these payments.

Construction company leadership requires many skills and talents, such as technical, financial, management and leadership expertise, to name a few. Not all family members or key employees possess the leadership capabilities necessary to sustain and grow the business on all fronts. If leadership gaps exist, investing in training and mentorship well in advance is essential, as the combined team should be able to leverage these talents.

Internal transitions can also be complicated by interpersonal conflicts. Family-run businesses often face disputes over roles, compensation and wider strategic vision. Similarly, internal power struggles among employees or management groups vying for ownership can disrupt operations. Additionally, if the former owner remains involved post-transition, resistance to change or micromanagement issues may arise. Selling internally often results in a lower purchase price compared



to an external sale to private equity firms or strategic buyers, who typically offer more competitive valuations. Business owners must balance their financial needs with their desire to keep the company within familiar hands.

Choosing the right succession strategy is one of the most significant decisions a construction business owner will make, and all options require careful planning. Passing the business to a family member can be an effective succession strategy, but not all heirs are interested or capable of running the business.

Internal transitions provide continuity, cultural preservation and potential tax benefits, but they also present financing, leadership and valuation challenges. A management buyout, meanwhile, ensures continuity, as the buyers are already invested in the company's success. However, financial constraints may necessitate external financing or seller-backed loans, which can be difficult to source.

By understanding the advantages and risks associated with family succession, management buyouts, and other options, business owners can make informed decisions that align with their financial and legacy objectives. With strategic planning and the right advisory team, internal transitions can set both successors and the business up for sustained success.

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. ■

By selling portions of ownership periodically it allows for a more orderly and controlled transition and the retiring owner is around to oversee the transition period, helping to guide the firm and maintain a share of income.

to family members, key employees, or even through an employee stock ownership plan (ESOP) for its potential to preserve company culture and continuity.

However, internal transitions also present challenges,

with clients, subcontractors and suppliers—in addition to a strong management team. An internal transition can help to maintain these relationships and preserve the company's reputation, values and operational struc-

ture already embedded within the company, and thus reducing the learning curve. Their familiarity with operations and existing relationships fosters business continuity.

A phased transition ap-



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Thruway Authority Begins \$19.4M Rehab On Two Aging Bridges in Rockland County

ALBANY—Work has begun in earnest on a \$19.4-million New York State Thruway project to rehabilitate two aging bridges on the Thruway in the Village of Suffern in Rockland County.

Preliminary work began last fall on the bridges, both of which are at least 70 years old and about a tenth of a mile apart. The stretch of Thruway also serves motorists and commercial vehicles traveling to and from New Jersey via I-287 via Exit 15 at milepost 30.17.

Contractor crews will repair concrete substructure and steel superstructure, along with completely replacing the concrete deck and parapets with precast concrete deck panels on the bridge over Route 202 (milepost 29.54). Crews will construct new bridge joints on the span over the Mahwah River (milepost 29.41). Both bridges are located on I-87 between exit 14B (Airmont–Montebello–Airmont Road) and Exit 15 (New Jersey–I-287–NJ Route 17 South).

Thruway Authority Executive Director Frank G. Hoare, Jr., said the bridges have served the roadway network “reliably over the decades, and we are undertaking efforts to ensure they remain safe and dependable for the tens of millions of motorists who



A section of the New York State Thruway northbound in Rockland County.

use them each year.”

The contractor on the project, DeFoe Corp. of Mount Vernon, NY, will construct new bridge joints on the span over the Mahwah River (milepost 29.41).

Other project improvements will include rehabilitating median drainage structures, building new median barriers and installing new pavement markings. Signs in the area will advise motorists of lane shifts.

Motorists are urged to be alert and follow the posted speed limits in work zones. Beginning this month, motorists will encounter lane shifts to facilitate construction. Three travel lanes in each direction will be maintained at all times through this heavily traveled corridor, with an estimated 120,000 vehicles traveling it daily. DeFoe Corp. is scheduled to complete the project by late 2026.

The Thruway Authority’s approved

2025 budget invests a total of \$477.3 million in dedicated funding for capital projects across the Thruway system beginning this year—an increase of more than \$33 million over the 2024 budget. The increased investment will lead to work on approximately 61% of the Thruway’s more than 2,800 pavement lane miles as well as the replacement or rehabilitation of 20% of the Thruway’s 817 bridges. ■

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Safety Watch

Unsafe Use of Powered Industrial Trucks Result in 100 Fatalities Each Year: US DOL

By COSTAS CYPRUS, ESQ.

The use of powered industrial trucks are a significant source of serious and fatal injuries to workers. Violations for the unsafe operation of powered industrial trucks (PITs), such as forklifts and lift trucks,

are among the most cited by OSHA following work-site inspections. In fact, an average of 100 workers are killed each year and 20,000 workers are seriously injured by fork truck-related incidents. Half of the forklift

fatalities occur in construction and manufacturing, according to the U.S. Department of Labor. Federal safety requirements, which are enforced by OSHA, mandate an operator's training and certifica-

tion in a set of topics such as equipment operation, load handling, proper maintenance and recognition of applicable safety hazards, etc. The training "shall consist of a combination of formal instruction (e.g. lecture, discussion, interactive computer learning, video tape, written material), practical training (demonstrations performed by the trainer and practical exercises performed by the trainee), and evaluation of the operators in the workplace."



Although there currently are no specific OSHA standards for lithium-ion batteries, OSHA has general industry standards, including for powered industrial trucks, that could apply.

PIT operators must be evaluated on their performance at least every three years with refresher trainings, or, more frequently if an operator is observed to have operated the PIT in an unsafe manner, was involved in an accident or a near-miss incident. PITs must not be used to lift loads beyond the equipment's capacity, and operators must ensure the load's stability to prevent circumstances that could compromise balance, such as in instances of improper stacking or overloading. Other workplace-related topics include pedestrian traffic in areas where the vehicle will be operated and the use of ramps or other sloped surfaces that could affect the vehicle's stability.

Employers must certify that each operator has received the necessary training and evaluation with records noting the names of the operator, the dates of training, the dates of evaluation and the identity of the individual performing the training or evaluation. Operators must also perform daily inspections to identify any issues that could affect safety, and if so, they are not to be placed in service.

Moreover, special precautions must be taken when operating a PIT near open flames, sparks or electric arcs in battery charging areas, a prominent issue in light of recent high-profile fires that have led to deaths and serious injuries caused from the charging of lithium-ion batteries. Although, currently, there are no specific OSHA standards for lithium-ion batteries, OSHA has general industry standards, including for PITs

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Low Bids

10 Firms Win NYSDOT Projects in Region 8

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

Tully Construction Co. Inc. of Flushing, NY was the lower of two bids at \$13,723,823.80 for guide sign panel and structure replacement on NY Rte. 907K, Town of Eastchester, cities of Mount Vernon and Yonkers in Westchester County.

Perfetto Enterprises Company of Staten Island, NY was the lowest of five bidders at \$2,025,000 for culvert job order contract at various locations in Rockland and Westches-

ter counties.

Coyle Industries Inc. of Hopewell Junction, NY was the lower of two bids at \$1,765,402.70 for storm-water management at various locations in Columbia, Dutchess, Orange, Putnam, Rockland, Ulster and Westchester counties.

Callanan Industries Inc. of Albany, NY was the lowest of five bidders at \$2,825,316.38 for paving for NY Route 52 in the towns of Crawford and Shawangunk in Orange and Ulster counties.

Morano Brothers Corp. of Croton-on-Hudson, NY was the lowest of seven bidders at \$4,084,801.00

for catch basin repairs on the Hutchinson River Parkway (Route 907W) at various locations in Westchester County.

Colonelli Brothers Inc. of Hackensack, NJ was the lowest of four bidders at \$1,897,500. for a culvert job order contract (JOC) at various locations in Columbia, Dutchess, Orange, Putnam and Ulster counties.

Paleen Construction Corp. of Somers, NY was the lowest of six bidders at \$2,094,135.19 for resurfacing on Route 312, west of Metro North Railroad to Route 22, in the Town of Southeast in Putnam Coun-

ty.

Northbrook Contracting Corp. of Peekskill, NY was the lowest of six bidders at \$5,665,000. for culvert replacements at various locations in Orange and Ulster counties.

McNamee Construction Corp. of Lincolndale, NY was the lowest of four bidders at \$13,874,000.00 for bridge rehabilitation at various locations in Rockland and Westchester counties.

Grace Industries LLC of Melville, NY was the lowest of six bidders at \$36,623,550. for concrete pavement repair at various locations in Westchester County.

Sea Breeze, Scape Tech, Fred A. Cook Secure Project Work in Westchester

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

Sea Breeze General Construction Inc. of Astoria, NY was the lowest of five bidders at

\$8,989,828.00 for roof, HVAC and electrical upgrades at the Daniel P. Thomas Material Recovery Facility in Yonkers, NY.

Scape-Tech Landscape Technology Inc. of Carmel, NY was the lowest of 12 bidders at \$2,000,670. for infrastructure improvements

at Lasdon Park and Arboretum in the Town of Somers, NY.

Fred A. Cook Jr. Inc. of Buchanan, NY was the sole bidder at \$196,500. for sanitary sewer line maintenance at various locations in Westchester County.



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Bid Letting Date: April 24, 2025

New York State Department of Transportation

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

Contract: D265484
PIN# 803602

Project Description: Westchester Co., pavement resurfacing - Route 134, Towns of North Castle and Ossining.

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

Goals: MBE: 7.00%, WBE: 11.00%, SDVOB: 6.00%

Bid Letting Date: April 24, 2025

New York State Department of Transportation

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

Contract: D265485
PIN# 881651

Project Description: Ulster Co., pavement resurfacing - Route 9W, City of Kingston, Towns of Esopus and Ulster.

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

Goals: DBE: 6.00%

Westchester County
DPW

Bid Due Date: April 16, 2025
(Date Change)

Contract: 25-503

Title: Runway 16/34 Shoulders and Edge Lighting Rehabilitation, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, NY.

Description: The work under this contract includes all of the labor, material and equipment necessary for the rehabilitation of Runway 16/34's edge lighting, edge lighting circuit, circuit cabling, runway shoulders, runway end blast pads, signage and associated work.

Bid Estimate Range: \$9.0 million to \$10.5 million.

Mandatory Pre-Bid Inspection: Held March 18, 2025. MANDATORY attendance was required. Bids will be rejected from contractors not in attendance at this meeting, or those who failed to sign the attendance sheet.

Contact Jeffrey Dean, 914-995-3361

Bid Due Date: April 23, 2025

Contract: 21-538

Title: Exterior Renovation and Repairs, 112 East Post Road, White Plains, NY.

Description: This contract includes all of the labor, materials and equipment necessary to make exterior repairs and renovations to the Westchester County office building at 112 East Post Road in White Plains, NY. The work will include the demolition and removal of façade metal panels and column covers, a new aluminum panel system with granite base, new angle flashing at relief angels above existing windows in brick masonry walls, masonry repointing and repairs as well as penthouse masonry repairs, new coping installation and associated work.

Bid Estimate Range: \$1.5 million to \$2.0 million.

Mandatory Pre-Bid Inspection meeting at 112 East Post Road, White Plains, NY. at 10:00 AM, scheduled on April 8, 2025. 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: Adam Kaplinski, 914-995-3991

Bid Due Date: April 23, 2025

Contract: 23-528

Title: New Snow Equipment Storage Building, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, NY.

Description: This contract includes all of the labor, materials and equipment necessary for the construction of a new Snow Equipment Storage Facility Building to supplement the existing Snow Removal Equipment (SRE) Building that presently stores the airport's snow removal equipment. Additional project components include sitework, paved areas, SRE parking in a secure area of the airport, site lighting, installation of new utility services and associated work.

Bid Estimate Range: \$5.0 Million to \$5.3 Million.

Mandatory Pre-Bid Inspection meeting at 2nd Floor Operations Office at the Terminal Building, Westchester County Airport, scheduled at 10:00 AM on April 8, 2025. 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: Jeffrey Dean, 914-995-3361.

New York State
Dormitory Authority

Bid Due Date: May 8, 2025

Title: City University of New York, York College, Minority Business Concerns Only, Academic Core Building Cold Water Pipe Replacement and Associated Asbestos Abatement

Contract: CR26 – General Construction

Project # 3426109999

Sealed bids for the above work located at York College, ACORE Building, 94-20 Guy R Brewer Blvd. Jamaica, NY 11451 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 – TRACEY MEYER." 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, from Minority Business Concerns as defined under the Small Business Concerns Set Aside Program, in accordance with Section 1699-m of the Public Authorities Law of the State of New York, available to be read at 2:00 PM local time on May 8, 2025, will be considered. Minority firms must be certified by Empire State Development – New York State Government (ESD). 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: Michael Smith, Project Manager, York College, 94-20 Guy R Brewer Blvd, Jamaica, NY 11451, MSmith@DASNY.org, (646) 210-1583 (the Owner's Representative) and DASNY at contracts@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 was scheduled on April 3, 2025, at 11:00AM at York College, ACORE Building, 94-20 Guy R Brewer Blvd, Jamaica, NY 11451. Contact: Michael Smith, Project Manager, at MSmith@DASNY.org, or (646) 210-1583 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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DeFoe Begins Nearly \$87 Million Paving Project on I-95/N.E. Thruway

ALBANY—New York State officials announced on April 7 the start of a \$86.7-million pavement improvement project on a nearly five-mile stretch of the New England Thruway (I-95) in Westchester County.

Spanning between Pelham Manor and Mamaroneck, NY, the project also includes the rehabilitation of 12 bridges within this heavily traveled corridor that's used by approximately 120,000 vehicles a day. DeFoe Corp. of Mount Vernon, NY, is the project coordinator.

New York State Thruway Authority Executive Director Frank G. Hoare described the superhighway as "one of the most critical highway arteries in the Northeast. For the past several years, we have rehabilitated the highway from the Bronx into Westchester County. This project will continue this vital work for another five miles in Westchester by upgrading the roadway and its surrounding infrastructure for our neighboring communities, and the motorists that travel this commuter and commercial corridor."

The I-95 project will begin with pavement repairs, meaning crews will remove and replace the most deteriorated portions on a nearly five-

mile stretch of roadway (milepost 4.0 to 8.8) in both the northbound and southbound direction. Covering close to 30 total lane miles, the repairs will improve the roadway's structural integrity and extend its service life, reducing the need to make temporary repairs. After the concrete pavement and joints are repaired, a two-course asphalt overlay will be installed to provide a smoother ride for motorists. The work covers the highway just south of exit 15 (New Rochelle/The Pelhams/US Route 1) to exit 18A (Mamaroneck/Fenimore Road). In addition, 12 interchange ramps will be repaired and repaved, state officials noted.

The other major component of the project is work on bridges above or below I-95. Crews will rehabilitate six bridges, including the Centre Avenue bridge in New Rochelle, the Chatsworth Avenue bridge in Larchmont and the bridge over the highway that serves Metro-North Railroad's Larchmont station. Six other bridges on I-95 will be resurfaced. Additional safety improvements will include new guiderail and lights, additional reflective line striping, new pavement markings and curb replacement.

Paving operations and the majority



A section of the New England Thruway in Westchester County where construction work is set to begin soon.

of work will take place overnight to reduce impacts to motorists. Motorists may encounter lane closures on I-95 along with traffic shifts and stoppages during construction. All work is expected to be completed by the end of 2026.

A separate ongoing \$61.8-million pavement improvement project on I-95 in the Bronx and southern West-

chester is scheduled to be completed this summer. It covers the area from milepost 0.0 to 4.0 and includes the rehabilitation of 11 bridges and makes significant improvements to two pedestrian bridges in the Bronx. The project, originally announced in April 2023, is being completed by Restani Construction Corp. of Queens, NY. ■

More Subway Service, Housing Coming To Essex Market Site on Lower East Side

NEW YORK—New York Gov. Kathy Hochul, Metropolitan Transportation Authority, the New York City Economic Development Corporation and Delancey Street Associates announced on April 4 the commencement of projects to make the Delancey St-Essex St Station complex accessible and compliant with the Americans with Disabilities Act (ADA), and to develop mixed-income housing on the former site of the Essex Market.

Delancey Street Associates will construct a 99 unit mixed-income housing complex and provide an easement to the MTA to allow the construction of an elevator connecting the northeast corner of Delancey and Essex Streets to the Delancey-Essex (FMJZ lines) station complex. The MTA announced that it is commencing design on that elevator and a comprehensive set of accessibility upgrades needed to make the station complex fully ADA-accessible. This will include three elevators to ensure that all connections



MTA Chair and CEO Janno Lieber speaking at a press conference announcing projects at the Delancey Street-Essex Street station complex.

and transfers within the station can be made step-free.

These accessibility improvements will be supported by proceeds from the Congestion Relief Zone. The project is included in the MTA's 2020-24 Capital Plan. Delancey St.-Essex St. (FMJZ lines) Station serves 68,000 riders per day.

With the project proceeding, New York City Economic Development Corporation

(NYCEDC), Metropolitan Transportation Authority (MTA), and Delancey Street Associates will enter into a binding agreement and advance the new station entrance design. Delancey Street Associates expects to start construction in 2026 on 99 mixed income units of housing.

Delancey Street Associates' proposed building will rise at the site of the former Essex Street Mar-

ket building, also known as Essex Crossing's Site 9. Essex Crossing is the result of a successful collaboration between the local community, the city—through NYCEDC and the New York City Department of Housing Preservation and Development—Manhattan Community Board 3, and Delancey Street Associates. The project, which originally received ULURP approval in 2012, has delivered a new

home for Essex Street Market, 175,000 square feet of retail space, 64,000 square feet of community space, and with Site 9, will deliver approximately 1,100 units of housing overall, 50% of which will be affordable.

"Making the Delancey St-Essex St station complex fully accessible with an affordable housing development at Essex Crossing is possible with the revenue from congestion pricing — a program that will put the proceeds toward New Yorkers' needs," Gov. Hochul said.

MTA Chair and CEO Janno Lieber said, "The MTA is making subway stations accessible at five times the pace of previous administrations. Every New Yorker—seniors, young families with strollers, people with disabilities—need to be able to get to jobs, school, shopping and everything else the City has to offer, so I'm thrilled NYCEDC and Delancey Street Associates were able to figure out a deal so we can move forward on this long overdue project." ■

Attorney’s Column Continued from P. 9

those claims on behalf of that contractor with the promise that the recovery would be passed along. The benefit to a downstream contractor is that claims that would otherwise be barred because of the lack of contractual privity with the owner can be adjudicated. The benefit to the upstream contractor is that its liability is limited to the amount it ultimately recovers on the liquidated claims.

However, as we can see from *E.W. Howell Co. v*

Hill International, to enjoy that protection, the upstream contractor must be diligent in prosecuting the downstream contractor’s liquidated claims. As always, know what your contract requires for the preservation of your claims, and be vigilant. Also, upstream contractors would be well advised to take their responsibilities under a liquidating agreement seriously or else be prepared to be held responsible for the downstream contractor’s claims. Contractors on either side of

this agreement would be advised to consult with experienced construction counsel so that everyone’s rights are adequately protected. ■

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

Safety Watch Continued from P. 20

that could apply, such as requirements that facilities shall be provided “for flushing and neutralizing spilled electrolyte, for fire protection and for protecting the charging apparatus from damage...and for adequate ventilation...”

Construction companies must follow these requirements for the use and maintenance of PITs to provide a safe work environment and reduce the risks of accidents and injuries at the worksite. The decision in *Secretary of Labor v. Gander and White Shipping, Inc.* (“Gander”) exemplifies the need for proper training when operating PITs. The matter was initiated by an anonymous com-

plaint to OSHA on Jan. 21, 2021 where it was alleged that an employee working out of Gander’s facility in Miami, FL was working on an elevated scissor lift and checking a box on a shelf when he fell out of the lift and fell approximately nine feet to ground, fracturing his left elbow. OSHA’s Compliance Officer Anthony Campos was assigned the matter and conducted an investigation. Officer Campos learned that Gander’s employee had fallen on Jan. 18, 2021 and that employees were operating the forklift in a warehouse without the requisite training and certification for handling PITs. Consequently, he issued

multiple citations to Gander asserting among items that it violated the applicable safety standards by not ensuring “that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation...”

Gander’s Operations Manager Eugene Layton conceded that they utilized PITs such as scissor lifts and battery-powered forklifts at the worksite and, in fact, admitted their employees were not trained at the time of the accident. Mr. Layton testified in subsequent proceedings that

Gander in fact trained their employees in the use of the PITs after the accident and after OSHA’s investigation. Moreover, Gander’s own foreman, Joel Hernandez admitted to the Compliance Officer Campos that neither he nor his subordinate who operated the forklifts had ever been trained in their operations, while these trucks were frequently used. The admission by Mr. Hernandez, a foreman with supervisory capacity, that a subordinate employee operated a PIT without having requisite training was sufficient to impute liability on Gander under a “serious” classification, which applies

when an employer knows about and fails to prevent a “substantial probability” that either death or serious injury could result from a work-place condition. A “serious” classification mandates higher monetary penalties as well. The Administrative Law Judge affirmed OSHA’s citation against Gander. ■

About the author: *Costas Cyprus, Esq., practices 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.*



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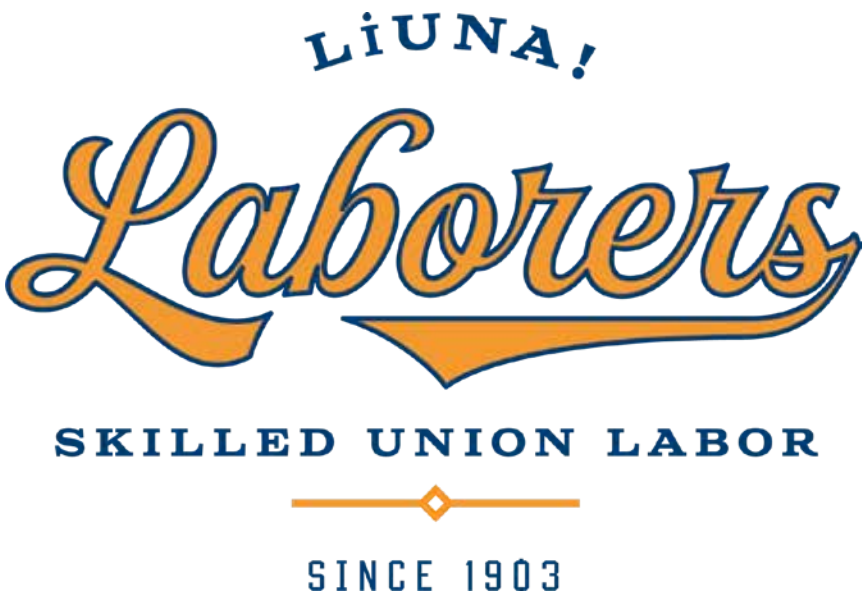


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