State Dormitory Seeks RFQ
For New Detention Facility
Page 3

Hudson Valley's Troubled
Housing Outlook
Page 4

Montesano Bros. Inc.
Marks 50th Anniversary
Page 22

CONSTRUCTION NEWS

Vol. 41 No. 11 NOVEMBER 2025 $1.50

NYCDEP Envisions $33 Billion in Spending For Wastewater, Capital Projects in Near Future

By JOHN JORDAN

WHITE PLAINS—More than 120 construction and building industry executives were on hand for the CIC-BCA Fall Membership Meeting on Oct. 15 held at the Sonesta Hotel in Downtown White Plains. The topics of discussion included major capital projects to be let by Westchester County and the New York City Department of Environmental Protection in 2026 and the surprise decision by MGM Resorts not to pursue a casino license at its Empire City complex in Yonkers.

The program featured Westchester County Executive Ken Jenkins who discussed the county's 2026 Capital Plan, which was released two days earlier. Two additional guest speakers were Sean McAndrew, P.E., assistant commissioner of Water System Capital Program for the New York City Department of Environmental Protection Bureau of Engineering Design and Construction, and Kenneth Moriarty, P.E., assistant commissioner, Wastewater Capital Program, NYCDEP Bureau of Engineering Design and Construction. These government officials detailed the billions of dollars in wastewater, special and water system capital program projects that the NYCDEP will let in the near future.

Mr. Jenkins, who was elected to a full four-year term as Westchester County Executive on Nov. 4, touted some of the highlights of the 2026 Capital Budget including $150 million for upgrades at the Yonkers Joint Wastewater Treatment Facility, another $21 million in State Environmental Bond Act funding for bridge and culvert work in connection with storm prevention projects in Rye Brook and Rye, as well as funding for the planned $133.5-million Fleet and Road Maintenance Facility in Valhalla. ***Editor's Note:*** *For the full story on the proposed 2026 Westchester County Capital and Operating budgets, see below.* The County Executive expressed disappointment in the recent decision by MGM Empire City to withdraw its casino license application with the New York State Gaming Commission. Mr. Jenkins

Yonkers Wastewater Treatment Plant

Please Turn to Page 15

Budget Cuts, Job Eliminations Loom in 2026 As Westchester Faces $197M Budget Gap

By JOHN JORDAN

WHITE PLAINS—Westchester County Executive Ken Jenkins submitted his $2.5-billion 2026 Operating Budget to the County Board of Legislators on Nov. 7 that calls for an 8% cut by every department and the elimination of 180 positions.

The County Executive said his plan, while eliminating positions, will not entail any worker layoffs. Westchester County faces a staggering projected budget gap of $197.7 million, Mr. Jenkins stated. The proposed Operating Budget calls for a property tax levy increase of 5.27%, as allowed by New York State, which translates to an average annual impact of $60 for every $500,000 in assessed property value. It also proposed for the use of the full tax cap to allocate $4.5 million in support for sewer districts, ensuring critical infrastructure needs are met.

"This has been an extraordinarily difficult year, and the budget process reflected that," he said. "We are operating in a moment of unprecedented uncertainty driven by the Trump administration's decisions beyond our control. Federal cuts, shifting aid formulas and tariffs have created instability in local planning in a way we have not seen in recent memory. There's no way to sugarcoat it; this is simply the reality of this moment—and we are committed to leading through it with transparency, partnership and integrity."

Mr. Jenkins blamed rising costs along with lower-than-expected sales tax revenue as the chief contributors to the significant budget gap the county is facing. He cited massive increases in health care costs ($65 million), pension growth ($22 million), social services relief ($21 million); transportation and utilization for children with special needs ($10 million), and pension costs ($8 million).

The Board of Legislators received the administration's

Westchester County Executive Ken Jenkins unveiled his $2.5 billion 2026 Operating Budget on Nov. 7 that calls for job reductions and across-the-board cuts.

Please Turn to Page 17

Inside

Address Service Requested
629 Old White Plains Road, Tarrytown, NY 10591

Dormitory Authority Issues RFQ on $245-Million Westchester Juvenile Detention Facility Project

By JOHN JORDAN

ALBANY—The New York State Dormitory Authority issued a Request for Qualifications on Nov. 4 for what will be a Design/Build project for the design and construction of a new Secure/Specialized Secure Youth Detention Facility located in Westchester County.

The project to eventually replace the county's Woodfield Cottage juvenile detention facility at the Grasslands complex in Valhalla, NY with a larger detention complex is part of the state's mandated "Raise the Age" program issued on April of 2017 whereby 16- and 17-year-old felons are to be removed from the adult population in jails and be housed separately in existing Juvenile Detention Facilities under a separate new category called "Adolescent Offenders."

Up until now, Westchester County has been sending overflow Adolescent Offenders to other facilities throughout the state that are able to provide the appropriate housing. However, the high cost and inconvenience factors have necessitated the need for a larger regional facility. 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 located at 20 Hammond House Road in Valhalla. The new facility will contain a maximum of 80 beds for youth. The Woodfield Cottage center currently can accommodate 24 youth.

The Woodfield Cottage juvenile detention center in Valhalla, NY will be replaced by a larger facility that could cost as much as $245 million to complete.

A Westchester County spokesperson told CONSTRUCTION NEWS that the county has an agreement with the Dormitory Authority for DASNY to act as the county's financier and design/build project manager for the Woodfield Cottage raise the age replacement facility.

"Having the new facility built in an expedited fashion, which the New York State Office of Children and Family Services desires, requires the utilization of alternative project delivery which the county does not have the authority to do," the spokesperson stated.

The county and DASNY had previously procured Urbahn Consultants as a bridge consultant to develop preliminary plans up to 30% design. That stage has been completed.

The next phase is for the team of DASNY and the county to procure a design build contractor. The RFQ issued by DASNY is soliciting project teams who may have the qualifications to be short-listed to receive the RFP in the spring. The project estimate is $245 million to respond to the requirements of OCFS and New York State Department of Corrections and Community Supervision. As per the Raise the Age legislation, the state will reimburse 82% of

Please Turn to Page 6

Report: 'The Hudson Valley's Housing Outlook Is Changing, But Not Necessarily for the Better'

NEW WINDSOR, NY—Hudson Valley Pattern for Progress' Center for Housing Solutions released its Q3 2025 Hudson Valley Regional Housing Market Report on Oct. 28. The report examined a number of trends within the regional housing market, and its constituent counties, including median sale prices, total volume of sales, total inventory on the market, and more. The report states that the market dynamics are changing, but many of the current prevailing trends are troubling.

Key Takewaways:

The Hudson Valley home market has transitioned into a new stage. For the first time in more than seven years, the nine-county region has seen three consecutive quarters in which the quantity of new listings and the total inventory of homes for sale both increased. The gains are modest, the report stated. New listings and the total inventory of homes on the market both grew by about 100 to 200 homes compared to the third quarter last year.

This change is noteworthy because the Hudson Valley experienced six consecutive years of rising prices and declining stock for sale on the market. However, we should not expect regional market dynamics to change quickly. Compared to the pre-pandemic market, the region still has less than half the quantity of homes for sale. This supply constriction—along with other forces such as corporate homebuying and remote work—are likely to push home prices higher in the near term, Pattern for Progress officials stated.



Already-exorbitant home prices across the region shot even higher in the third quarter. Most notably, Columbia County saw its median home price exceed $500,000 for the first time ever. Statistically, Columbia County continues to have some of the deepest housing stress in the entire region. Westchester County crossed the $800,000 mark for the first time in a single quarter, while Sullivan County has seen its median home price skyrocket by 145% since 2019, the highest proportional increase in the entire region.

In the current market, homeownership is unattainable for many of those who want to own a piece of their community. This has a cascading effect, the report stated. More households are persisting in rentals, rents are increasing faster than wages, and more of our neighbors who relied on modest rents are slipping into the social safety net and being housed in hotels and motels. These realities must compel the region and the state to constantly examine programs, regulations, and actions. The Q3 data in this report underscore that housing must remain at the top of our civic priority list.

"The Hudson Valley's housing outlook is changing, but not necessarily for the better," Pattern CEO Adam Bosch said. "As inventory inches up and prices continue to rise, more households are being locked out of homeownership and pushed into rental markets that cannot keep up. This fuels higher rents, greater reliance on emergency housing, and a deepening strain on both our regional workforce and the wellbeing of our communities. The data in our report underscore that housing must remain at the top of our civic priority list in the Hudson Valley."

Third Quarter Home Prices

• Median home prices increased everywhere except Dutchess County.

• The median home price in Columbia County exceeded $500,000 for the first time. A typical home in Columbia now costs more than homes in Orange and Dutchess.

• Sullivan County has the largest proportional increase in its median home price since 2019. Its median home price is up by a whopping 145%.

• The median home price in every county surpassed $350,000 for the first time.

Third Quarter Inventory of Homes for Sale

• The total inventory of homes for sale increased in Q1, Q2, and Q3 - the first-time inventory has increased in three consecutive quarters since the pandemic.

• Compared to the pre-pandemic market, there are still less than half the quantity of homes on the market.

For a copy of the full Q3 2025 Hudson Valley Regional Housing Market Report, go to: https://www.pattern-for-progress.org/portfolio/hudson-valley-regional-housing-market-report-q3-2025/

CONSTRUCTION NEWS

Vol. 41 No. 11 NOVEMBER 2025

PUBLISHER
John T. Cooney, Jr.

EXECUTIVE EDITOR
George Drapeau III

MANAGING EDITOR
John Jordan

ASSOCIATE EDITOR
Sheila Smith Drapeau

COMMUNICATIONS MANAGER
Sharon Regan Masciovecchio

BUSINESS OFFICE MANAGER
Karen Zedda

MEMBER COORDINATOR
Diana Rojas-Hoyos

FOUNDING PUBLISHER EMERITUS
Ross J. Pepe

Construction Industry Council of Westchester & Hudson Valley, Inc.
Chairman: George Pacchiana
Executive Director: John T. Cooney, Jr.

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

Print Subscriptions: $20 a year included in membership dues; $35 for two years; $2.50 for a single copy; bulk rates on request, $30 per year for non-members. CONSTRUCTION NEWS cannot be responsible for unsolicited manuscripts, nor can it undertake to return manuscripts or pictures unless accompanied by self-addressed, stamped envelopes.

To request an email version of the CONSTRUCTION NEWS, go to cicbca.org and click the box on the bottom of the website page.

Please make checks out to the Construction Industry Council.

Advertising Rates: Go to cicbca.org or email sharon@cicnys.org

Please email updates and address changes to the Construction Industry Council of Westchester & Hudson Valley, Inc., at info@cicnys.org

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

Albany Update

Tariffs Jeopardize 500,000 Jobs, Drive Up Key Construction Materials Costs: Report

ALBANY—Key findings of a new report show that tariffs are imposing an effective 21% tax on imported goods and costing New York families an estimated $4,200 annually.

New York State Tariff Report, a statewide analysis documenting the impacts caused by the Trump Administration's tariff policies, also pointed to a spike in inflation, which is nearly 52% higher than the 10-year average.

These tariffs have generated price surges across critical sectors and threaten to reverse years of economic growth and job creation in New York State, noted Gov. Kathy Hochul on Nov. 7.

"New Yorkers are seeing firsthand what these tariffs really are—a tax on hardworking families and employers," Gov. Hochul said. Prior to the arrival of the Trump administration's tariffs, the state's economy was growing in all areas, she said. "We achieved record tourism numbers, a private-sector job growth rate that outpaces the nation, and unprecedented commitments from businesses to grow jobs."

She said that tariffs are threatening to undermine all of this. "They raise prices on everything from milk and medicine to steel and housing materials, while doing nothing to strengthen our economy. Tariffs are destabilizing markets, straining small businesses and punishing the very people who keep our state moving."

As directed by the governor, New York State agencies were required to investigate and report the economic and social impacts of federal tariffs. This coordinated response, ordered through a July 14, 2025 directive from the Governor's Office of State Operations, tasked Empire State Development and the Office of General Services with leading a cross-agency analysis covering cost increases, supply chain disruptions, and threats to jobs and small businesses across New York's economy.

Preliminary results demonstrate that tariffs have already caused some setbacks in multiple sectors.

Transportation Infrastructure

Tariffs on steel, aluminum and other key construction materials drive up the cost of both new projects and critical repairs to existing infrastructure, stretching public budgets and potentially delaying needed improvements. These rising costs risk creating longer project timelines and increased burdens on taxpayers.

Steel and aluminum are essential for rebar in concrete, structural frameworks (bridges, overpasses), guardrails, signs, and other essential transportation infrastructure. Steel tariffs were raised in June 2025 to 50% from the previous level of 25%, leading to increased costs for construction and infrastructure projects that use significant amounts of imported steel.

Tariffs on foreign goods can also reduce pressure for American companies to keep their prices low. Despite not being subject to tariffs, two large American steel producers reported in July that they were charging more for their products in the second quarter of 2025 than the first quarter of 2025.

Asphalt has also been subject to price increases, potentially affecting road maintenance repair projects across the State. The New York State Department of Transportation reports costs increasing from $591 per ton to $646 per ton (over a 9% increase or 5.9% increase when seasonally adjusted) from January 2025 to July 2025.

Copper, used in electrical wiring for traffic signals, lighting, rail systems, and other transportation infrastructure, has significantly increased in cost. In September 2025, copper cost approximately $4.50 per pound, as compared to only $3.25 in July 2024, a 38% increase.

Tariffs are also impeding New York's ability to implement clean and efficient electric public transportation. NYSDOT reports that manufacturers for electric buses are estimating a $13,000 tariff-related cost increase per bus on top of previously negotiated prices. This significant cost hike delays the modernization of public transit infrastructure and impedes the state's progress toward its emissions reduction goals, the report stated.

Housing Infrastructure

Recent estimates indicate tariff actions will add approximately $11,000 to the cost of building each new single-family home.

The NYS Homes and Community Renewal (HCR) reports that while the full impact of the tariffs on the housing market will be more evident by early 2026, rising prices are already creating challenges. In one financed project, HCR reported an $18,000-increase in the cost of a single elevator, and an additional $370,000-increase for essential building supplies.

"This escalation in construction costs, driven by tariffs, will inevitably result in fewer new homes built and, consequently, reduced access for homeownership across New York State," the report stated.

The full tariff report can be found at: https://www.governor.ny.gov/sites/default/files/2025-11/Tariff-Report.pdf ■

NYS Launches $215M Housing Acceleration Fund

ALBANY—New York State officials announced on Oct. 27 the launch of the Housing Acceleration Fund, a $215-million first-of-its kind program to speed up construction of shovel-ready mixed-income residential projects across New York State.

State officials noted that too often, communities do not have tools to create mixed income rental housing, leaving many developments permit-ready, but unable to secure financing. New York's Housing Acceleration Fund will help address this vital need and spur the development of new housing statewide. The fund is catalyzed by the governor's $100-million investment secured in the FY26 Enacted Budget and matched with $115 million from awarded participating lenders.

"To combat the housing crisis in New York, we're leaving no stone unturned," Gov. Hochul said. "This new, innovative loan program is a powerful new tool to help jumpstart the construction of mixed-income housing in communities across the state. These new resources are just one more way for us to help build more housing opportunities for our families, seniors and young adults."

The Housing Acceleration Fund awards announced today are expected to result in approximately 1,800 new homes statewide. The awardees are:

Community Preservation Corporation: $45.5 million
Merchants Bank: $42 million
Enterprise Community Partners: $7.5 million
Local Initiatives Support Corporation: $5 million

Half of the state's $100-million investment is appropriated for projects within New York City and half is allocated to projects throughout the rest of the state. Awardees will provide $115 million in additional capital, bringing the total amount of funding for projects within New York City to $100 million and the amount for projects throughout the rest of the state to $115 million.

The Housing Acceleration Fund, administered by New York State Homes and Community Renewal (HCR), will provide low-cost, construction loans to fill financing gaps in the construction of mixed-income housing developments. The fund is designed to utilize public capital to leverage private capital investment in mixed-income multifamily rental production. The fund is estimated to generate upwards of $1 billion in new housing investment throughout New York State. ■

NY State Approves Nearly $44 Million In Water Infrastructure Grant Funding

ALBANY—New York State officials announced on Oct. 30 a total of $135 million in funding for water infrastructure projects including more than $43.6 million for initiatives in the Mid-Hudson Valley region.

The Environmental Facilities Corporation Board of Directors approved low-cost financing and State and federal grants that empower local governments to advance crucial upgrades—such as replacing lead service lines and removing emerging contaminants from drinking water—without passing high costs on to ratepayers. These investments protect public health and the environment, reduce future risks, and support good-paying jobs.

The funding approved includes a $19 million federal Infrastructure Investment and Jobs Act (IIJA) grant for the Town of Southampton's new wastewater collection system and treatment plant in Riverside. The grant reinforces the state's commitment to safeguarding Long Island's sole source aquifer system, the Peconic Estuary, and other water bodies.

Please Turn to Page 17

Attorney's Column

Lawsuit Based on Delay Claim Can Proceed Despite Contract Language, Court Rules

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

As most of you undoubtedly know, "No Damages for Delay" clauses are commonplace in construction contracts. However, prior to 1986, New York courts often did not enforce such clauses, holding "uncontemplated delays" as being compensable. With the decision of the New York Court of Appeals in the case of *Corinno Civetta Construction Corp v the City of New Yor*k, courts began enforcing "No Damages for Delay" clauses with a vengeance. Yet in the Civetta decision, the court set forth four very limited circumstances under which a contractor may still recover delay damages notwithstanding the presence of such a clause. (This column usually discusses these exceptions in the context of whether a seemingly lengthy delay was within the contemplation of the parties at the time of contract.)

Recently, in the case of *Nagori Contracting Corp. v City of New Yor*k, a court reminds us that these same circumstances can also support recovery where the contract provides for the recovery of damages for some (but not all) causes of delay, and that the possibility of recovering often turns on the facts of the case.

Background

In late 2019, Nagori Contracting Corp. submitted a bid for a project to construct a composting facility for the New York City Department of Sanitation. In December 2019, this bid was accepted and the contract was awarded. The project term was to have been 485 days (16 months) from the issuance of a Notice to Proceed. The pandemic struck shortly after, and three months after the award of the contract, Executive Order 202 was issued, shutting down all non-essential activities. (You may recall that public construction was considered an essential activity which was permitted to proceed.)

The Notice to Proceed was ultimately issued by the City in March of the following year, with a proceed date of April 19, 2021. The project was completed in 2023, and Nagori was paid the full adjusted contract sum of $17.2 million. However, Nagori incurred over $1.5 million in increased costs for labor, materials and insurance attributable to the delay in issuing the Notice to Proceed, and it placed a claim with the city to recover those costs. The city denied the claim, arguing that the delay did not meet the criteria for compensation under Section 11.4 of the Standard Construction Contract. Nagori then commenced a lawsuit to recover those damages. The city ultimately moved for summary judgment dismissing the lawsuit accordingly.

The court held that the issuance of a Notice to Proceed was a fundamental obligation of the contract, and found that there were questions of fact as to whether the city's delay in issuing the Notice constituted a breach of that fundamental obligation.

Decision

The court denied the city's motion. In doing so, the court addressed the city's contention about the delay damages provision in the contract, finding that it was questionable as to whether it applied to delays incurred only after the issuance of the Notice to Proceed, as was argued by the city, or whether such damages could be awarded for any time after the contract was awarded. However, the court did not delve deeper on the contractual issue because it found an issue of fact as to whether two of the four common law exceptions to a No Damages for Delay clause (which, by way of reminder, are for: (1) delays caused by the contractee's bad faith or its willful, malicious, or grossly negligent conduct; (2) uncontemplated delays; (3) delays so unreasonable that they constitute an intentional abandonment of the contract by the contractee; and (4) delays resulting from the contractee's breach of a fundamental obligation of the contract) could be applied. Specifically, the court held that the issuance of a Notice to Proceed was a fundamental obligation of the contract, and found that there were questions of fact as to whether the city's delay in issuing the Notice constituted a breach of that fundamental obligation. The court also found that there were issues of fact as to whether a 15-month delay in issuing a Notice to Proceed on a 16-month project was contemplated by the parties at the time of the contract. Accordingly, the court directed the parties to proceed to trial.

Thomas Welby, P.E., ESQ.

Gregory J. Spaun, ESQ.

Comment

The court here made it clear that although the contractual provisions would be applied, there are certain principles of common law which will be grafted into all contracts—here, the common law exceptions to a No Damages for Delay clause. While the issue of whether Nagori is entitled to compensation for the delay under its contract will be litigated, the court gave Nagori two other lifelines in the event that its contractual claim is ultimately unsuccessful at trial. Accordingly, even if the contract claim fails, Nagori may yet recover if it proves either that the city breached a fundamental obligation of the contract in delaying the issuance of the Notice to Proceed, or that the 15-month delay in issuing a Notice to Proceed on a 16-month project was not contemplated by the parties at the time of the contract.

As we mentioned in last month's column, contract law and contract interpretations are not always simply plain reading and common sense. Further, there may be remedies available outside of the contract, including those granted by statute, regulation, or case law. Accordingly, if you face an event of delay that is seemingly outside of the compensation provisions of the contract (including a blanket No Damages for Delay clause), you should reach out to experienced construction counsel so that you can determine all of your options before proceeding. ■

About the authors: *Thomas H. Welby, Esq., P.E., is General Counsel to the CIC and the BCA, and is a co-founder and Senior Counsel 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.*

Dormitory Authority Continued from P. 3

the costs. It is anticipated that construction will start in 2027.

Interested Design Teams have until Dec. 11, 2026 to submit responses to the RFQ.

According to the RFQ, the existing Woodfield Cottage facility will remain in full operation during construction of the new youth detention building. The Design Builder will be responsible for maintaining secure separation between construction areas within the active facility during all stages of construction. Once the new facility is completed, youth will be transferred to the new building and demolition of the old building will begin. Once demolition is finished, outdoor recreation facilities and parking lots will be constructed for the new facility.

Following receipt of the submitted Statement of Qualifications, an established Evaluation Committee will identify a shortlist of Design-Build Teams that will continue with the development process for the project. The shortlisted Teams will be provided with a future Request for Proposal that will include the Bridging Documents for the overall project on which to fully develop a response to the RFP.

The current project timeline calls for the issuance of the Final Bridging Documents and the issuance of the RFP on March 1, 2026. The selection of the winning Design-Build team is set for July 31, 2026 with the design phase starting on Aug. 1, 2026. County officials stated that construction should begin by 2027.

Construction will be completed in phases—Phase 1 by Aug. 10, 2029; Phase 2 by March 15, 2030 and Phase 3 (Sitework) finished by Sept. 13, 2030. ■

Job Cuts Soar Past 1 Million in 2025; October Sets Highest Job Loss Level in 22 Years: Report

CHICAGO—As the economy enters the final months of 2025, a sobering report on the state of the national jobs market cites data indicating large-scale jobs cuts this year as well as sharp declines in hiring plans going into 2026.

U.S.-based employers announced 153,074 job cuts in October, up 175% from the 55,597 cuts announced in October 2024. It is up 183% from the 54,064 job cuts announced one month prior, according to a report released on Nov. 6 from global outplacement and executive coaching firm Challenger, Gray & Christmas (CGC).

"October's pace of job cutting was much higher than average for the month," said Andy Challenger, a workplace expert and CGC chief revenue officer. "Some industries are correcting after the hiring boom of the pandemic, but this comes as AI adoption, softening consumer and corporate spending, and rising costs drive belt-tightening and hiring freezes in the coming months. Those laid off now are finding it harder to quickly secure new roles, which could further loosen the labor market."

Through this past October, employers have announced nearly 1.1 million job cuts, an increase of 65% from the 664,839 announced in the first ten months of last year. It is up 44% from the 761,358 cuts announced in all of 2024. Year-to-date job cuts are at the highest level since 2020 when 2,304,755 cuts were announced through October.

October Job Cuts

CGC reported double bad news: Individual companies announced both large layoff totals in October and a higher number of companies announced job cut plans. CGC tracked nearly 450 individual job cut plans in October, compared to just under 400 in September. March, which had the largest number of job cuts this year primarily due to cuts at the federal level, saw roughly 350 individual announcements.

October 2025's total is the highest for the month since October 2003, when 171,874 cuts were recorded. That month, large announcements occurred in retail due to acquisitions and in telecommunication as cell phones gained wide adoption.

"This is the highest total for October in over 20 years, and the highest total for a single month in the fourth quarter since 2008," the firm reported. "Like in 2003, a disruptive technology is changing the landscape."

"Over the last decade, companies have shied away from announcing layoffs in the fourth quarter, so it's surprising to see so many in October. With the onset of social media and the ability for workers to share their negative experiences with their employers, the trend of announcing layoffs before the holidays fell away, a practice that seemed particularly cruel," said Mr. Challenger.

In fact, between 2003 and 2013, the fourth quarter averaged 74,733 job cuts a month. In the following decade, the monthly average in the fourth quarter fell to 42,927. For October, the average job cut total from 2014 to 2024 was 47,086.

"At a time when job creation is at its lowest point in years, the optics of announcing layoffs in the fourth quarter are particularly unfavorable," he added.

CHALLENGER, GRAY & CHRISTMAS, INC.
JOB CUT ANNOUNCEMENT REPORT

Table 1: EXECUTIVE SUMMARY
TOP FIVE INDUSTRIES
Year To Date

	2025	2024
Government	307,638	37,746
Technology	141,159	120,470
Warehousing	90,418	18,904
Retail	88,664	36,136
Services	63,580	39,296

CHALLENGER, GRAY & CHRISTMAS, INC.
JOB CUT ANNOUNCEMENT REPORT

Table 1: EXECUTIVE SUMMARY
TOP FIVE INDUSTRIES
Year To Date

	2025	2024
Government	307,638	37,746
Technology	141,159	120,470
Warehousing	90,418	18,904
Retail	88,664	36,136
Services	63,580	39,296

Construction, Transportation Buck Trend

The construction and transportation sectors have suffered lower job cuts in 2025 than the previous year, the company said. Year-to-date there were 7,032 jobs cuts in the construction industry as compared to 10,925 recorded year-to-date in 2024.

The same holds true for the transportation sector, where there have been 15,544 job cuts so far in 2025 compared to 25,739 through October 2024.

Both sectors are seeing sharp declines in announced hiring plans. The report indicates that year-to-date 2025, there have been announced plans to hire 2,060 workers as compared to 4,527 by the same period in 2024. In the transportation sector, there have been only 353 announced new hires so far in 2025 compared to 127,956 jobs by October 2024.

Technology Sector Hit Hard

Technology continues to lead in private-sector job cuts as companies restructure amid AI integration, slower demand and efficiency pressures. In October, the sector announced 33,281 job cuts, up sharply from 5,639 in September. For the year, technology firms have announced 141,159 job cuts, up 17% from the 120,470 announced through the same period in 2024.

Retailers announced 2,431 job cuts in October, down from 2,577 the prior month, but the sector remains among the hardest hit this year. So far in 2025, Retail has announced 88,664 job cuts, a 145% increase from the 36,136 announced through October last year. The sector continues to face cost pressures, shifting consumer habits, and ongoing store closures.

The services sector, which includes companies that provide support to other businesses such as cleaning, staffing, and outsourcing firms, announced 1,990 job cuts in October, down from 6,290 in September. Year to date, the sector has announced 63,580 job cuts, up 62% from the 39,296 announced through October 2024.

Warehousing led all industries in October cuts, announcing 47,878 job cuts, up from 984 in September. Year to date, the sector has cut 90,418 jobs, a 378% increase from the 18,904 cuts announced in the same period last year. The surge suggests ongoing overcapacity and automation-driven restructuring following pandemic-era growth.

Consumer Products companies announced 3,409 job cuts in October, up from 1,983 in September. For the year, the sector has announced 41,033 job cuts, up 21% from the 33,865 cuts announced during the same period in 2024, as companies adjust production and workforce levels amid softening demand and changing consumer preferences.

Non-profits continue to be impacted by government funding as well as rising costs. These entities announced plans to cut 27,651 this year, an increase of 419% from the 5,329 announced by this point in 2024.

The media industry has announced 16,680 cuts so far in 2025, up 26% from the 13,279 cuts announced in the first 10 months of last year.

News, which Challenger tracks as a subset of media and includes broadcast, digital, and print, has announced 2,075 job cuts so far this year, 337 of which occurred in October. That is the highest monthly total since 462 in May. For the year, news cuts are down 41% from the 3,520 cuts announced during the same period last year.

"DOGE Impact" remains the leading reason for job cut announcements in 2025, cited in 293,753 planned layoffs so far this year. This includes direct reductions to the federal workforce and its contractors. An additional 20,976 cuts have been attributed to DOGE Downstream Impact, which reflects the loss of federal funding to private and non-profit entities.

In October alone, cost-cutting was the top reason employers cited for job reductions, responsible for 50,437 announced layoffs. Artificial Intelligence (AI) was the second-most cited factor, leading to 31,039 job cuts as companies continue to restructure and automate. AI has been cited for 48,414 job cuts this year.

Market and economic conditions accounted for another 21,104 cuts in October, bringing the year-to-date total for this reason to 229,331, while closings of stores, units, and plants resulted in 16,739 cuts for the month and 161,391 for the year. Restructuring was cited in 7,588 October announcements, for a total of 108,038 so far in 2025.

The Midwest logged 351 CEO exits year-to-date, up 6% from 332 in 2024. Illinois led the region with 72 CEO departures, compared to 57 last year. Indiana nearly doubled to 38 from 20, and Iowa rose to 23 from 11. Meanwhile, Ohio declined slightly to 61 from 71, and Michigan dropped to 29 from 41.

Hiring Plans in 2025

Through October, U.S. employers have announced 488,077 planned hires, down 35% from the 750,333 announced at this point in 2024. It is the lowest year-to-date total since 2011, when 459,971 new hires were planned. On average, employers have announced 48,808 new hires per month, the lowest monthly average since 2011, when an average of 44,798 new hires occurred monthly.

Included in Challenger's hiring figure are 372,520 seasonal hiring plans through October, the lowest number of announced seasonal hires through October since Challenger began tracking them in 2012.

"It's possible with rate cuts and a strong showing in November, companies may make a late season push for employees, but at this point, we do not expect a strong seasonal hiring environment in 2025," said Challenger in its report. ■

Orange IDA Approves Key Incentives For $607M Amazon Fulfillment Center

By JOHN JORDAN

NEW WINDSOR, NY—Defying seemingly insurmountable odds for what may in fact become the largest private industrial development project in Orange County history, the Amazon fulfillment center has received all necessary approvals and incentives to commence construction.

The project to build a massive 3.2-million-sf building for the online retail commerce giant, which was stalled this past summer, now only needs to survive some litigation disputing its municipal approvals. In late October, one day after the developer secured all approvals from the Town of Wawayanda Planning Board for its $607-million Amazon fulfillment center in Slate Hill, the Orange County Industrial Development Agency (OCIDA) approved approximately $31 million in incentives for the project.

The Orange County Industrial Development Agency (ORIDA) approved approximately $31 million in incentives for the project.

The IDA Board on Oct. 23 by a 5-1 vote approved up to $31,008,750 in sales and use tax exemptions and a property tax abatement. The Board approved a modified 15-year PILOT (Payment in Lieu of Taxes) agreement negotiated between developer Scannell Properties, Amazon and Wawayanda Town Supervisor Densie Quinn, who stated at an IDA public hearing this past summer that she was withholding her support of the project because she felt it needed to provide more benefits to the town.

The project is believed to be among the largest private industrial development investments and the largest in terms of scope in the history of Orange County. The facility is expected to be the second largest Amazon fulfillment center in New York State, surpassing those in New York City.

The term of the PILOT is normally 20 years. IDA officials stated that the 15-year PILOT reduced the amount of tax incentives offered. In addition, the IDA also secured $1.5 million in cash payments for the Town of Wawayanda and up to $1 million to fund the construction of a new ambulance bay as part of the negotiations. According to IDA documents, Amazon will save $80,208,325 based on the 15-year PILOT agreement and will be required to pay $56,854,801 to the various jurisdictions under the PILOT.

"The agreement is a testament to OCIDA's commitment to projects that prioritize Orange County communities and reflects Amazon's investment in the quality of life for residents of the town and the surrounding area," the OCIDA stated.

The new five-story fulfillment center is also anticipated to generate a considerable amount of tax revenue for Minisink Schools, totaling more than $40 million during the 15-year PILOT term. The property currently generates around $165,000 in total property taxes annually. After the PILOT expires, the Town Assessor estimates local schools will continue to receive approximately $8.29 million in tax revenue annually. The new fulfilment center is projected to generate an average sales tax revenue of $238,378 each year.

The project will create 750 full-time jobs within three years of completion and up to 2,400 local construction jobs according to a third-party economic impact study. Under the OCIDA's local labor policy, 85% of the construction jobs are required to be filled by men and women from the local eight-county region encompassing Orange, Ulster, Sullivan, Dutchess, Rockland, Putnam, Westchester, and Delaware counties. The project was supported by the powerful Hudson Valley Building and Construction Trades Council.

"This project is not only a massive job creator, it will also generate monumental tax revenues for Minisink Schools, the town and the county for years to come," said Orange County IDA CEO Bill Fioravanti.

Wawayanda Town Supervisor Denise Quinn in an Oct. 23rd letter to residents posted on the town's website spoke of the merits of the project and noted that the site has been operated as an active quarry for the past 10 years which has generated "truck traffic, noise and environmental disruption."

She touted the merits of the Amazon project and noted that the Planning Board was "bound by the law, not public opinion." Ms. Quinn closed her letter stating: "Rejecting a project that revitalizes an existing industrial site and finally brings meaningful tax revenue to Wawayanda would be a mistake. This development is an opportunity to replace a low-value, high-impact mine with a facility that contributes to the community's long-term growth and stability."

Conor Eckert, chief executive officer of the Orange County Partnership said of the OCIDA's actions: "The approved incentive package for Amazon marks a major milestone for likely the largest private investment in our county's history. The final terms—now a 15-year PILOT, reduced from the original 20-year proposal—reflects a balanced and responsible approach that delivers long-term local value, incorporates community input, and ensures Orange County remains competitive for major employers. This project will generate substantial new tax revenue, create thousands of construction and permanent jobs, and provide meaningful community benefits through targeted investments in public safety, local infrastructure, workforce development and regional partnerships."

Attorney and former Democratic candidate for Orange County Executive Michael H. Sussman, Esq. announced on Oct. 14 that he had filed an Article 78 proceeding challenging the Wawayanda Planning Board's negative declaration in June. The suit states that the Planning Board's actions violated the New York State Environmental Quality Review Act. The litigation was filed on behalf of neighbor Diane O'Neill and the Save Wawayanda Inc. and Protect Orange County organizations. *Mid Hudson News* reports that Mr. Sussman, who lost in his bid to unseat incumbent Orange County Executive Steve Neuhaus (R), expects to file additional litigation to block the Amazon project from breaking ground.

The developer of the project has gone to court in connection with a decision by the Wawayanda Zoning Board of Appeals this summer to deny a needed height variance. Scannell Properties and the property owner Aden Slate Hill, LLC filed an Article 78 proceeding on July 24 in the New York State Supreme Court in Orange County against the Town of Wawayanda and the town's Zoning Board of Appeals and is seeking to have the ZBA's denial vote annulled and have the court compel the ZBA to approve Scannell's height variance. Scannell later secured the necessary height variance and site plan approval from the Wawayanda Planning Board.

At press time, both the Save Wawayanda and the Scannell litigation against the town and/or its boards were still pending. ■

The 3.2 million/sf Amazon fulfillment center will be built on a site on McBride Road in Slate Hill, NY.

International Brotherhood of Teamsters
Local 456

Louis A. Picani, President

Joseph Sansone, Secretary Treasurer

Dominick Cassanelli Jr, Vice President

Roger G. Taranto, Recording Secretary

James McGrath, Trustee

Mike Martinez, Trustee

Robert Richardson, Trustee

Joseph Tavares, Business Agent/Organizer

Denise June, Training Director

160 South Central Avenue, Elmsford, New York 10523

(914) 592-9500 *Fax (914) 592-4266*

New York City Update

NYSDOT Airs New Design Option Renderings For Cross Bronx Expressway 5 Bridges Project

ALBANY—New York State Department of Transportation announced late last month the release of new renderings of the current design options for the project to replace or rehabilitate five bridges along the Cross Bronx Expressway in the Bronx.

The design options currently under consideration during the environmental review process include staged construction of the five bridges, without the use of a traffic division structure. One option includes a shared use path along the eastbound Cross Bronx Expressway, expanding the connectivity of the existing roadway to both cyclists and pedestrians, for approximately 1.5 miles between Boston Road and Rosedale Avenue, with a potential connection to the Bronx River Greenway. The second option does not include a shared-use path along the expressway.

"These newly released renderings provide the community with a unique perspective of what is possible when reimaging the future of the Cross Bronx Expressway, including connectivity for both cyclists and pedestrians," said Commissioner Marie Therese Dominguez. "The State Department of Transportation continues to be mindful of the needs of the community as we progress this important project to address the safety of these critical bridges, while improving connectivity including walking and biking along this vital transportation corridor."

The project to replace or rehabilitate five bridges on the Cross Bronx Expressway is necessary to enhance public safety and preserve a vital travel artery that serves approximately 150,000 vehicles each day. This project is not an expansion of the highway. The bridges, which are located between Boston Road and Rosedale Avenue, were constructed between 1947 and 1958, and do not meet modern design standards for safety. They have suffered significant deterioration and have reached the end of their service lives, NYSDOT officials stated.

As part of the ongoing environmental review process, several design options were initially considered to accommodate traffic during construction and provide multi-modal connectivity. Four of the options included the use of a traffic diversion structure to detour expressway traffic away from the construction area, easing congestion and allowing construction to proceed at an expedited pace. These options have been dismissed based on public feedback, NYSDOT stated.

The review process will be documented in the forthcoming Draft Environmental Assessment, which NYSDOT expects to be completed this fall. According to the latest project timeline, public hearings will follow the release of the Draft Environmental Assessment this fall to be followed by the final EA in early 2026 and construction to start sometime in 2026. Project completion is set for some time between 2030 and 2032 depending on the design option selected. ■

Aerial map of the five bridges on the CBE to be replaced or rehabilitated.

Financial Management

Key Tax Planning Strategies for Contractors To Consider as 2025 Comes to a Close

By PHILLIP ROSS, CPA, CGMA, PARTNER

As 2025 draws to a close, construction companies face a valuable opportunity to strengthen their financial position through proactive year-end tax planning. Strategic attention to depreciation, unamortized research and experimentation (R&E) costs, accounting method elections and federal incentives can significantly enhance cash flow and position firms for success in 2026.

The construction industry continues to evolve amid shifting tax laws, economic pressures and sustainability initiatives. For contractors, architecture firms and engineering firms, year-end presents a critical window to evaluate their tax posture and implement strategies that capture available deductions, credits and incentives. Thoughtful planning now can help improve liquidity and cash flow for the future.

The One Big Beautiful Bill Act (OBBBA), signed on July 4, 2025, permanently reinstated 100% bonus depreciation for qualifying assets acquired and placed in service after Jan. 19, 2025. For assets placed in service before that date, the prior 40% rate still applies. This reinstatement allows firms to immediately deduct the full cost of eligible equipment, vehicles and improvements, resulting in significant tax savings that will improve cash flow. Under OBBBA, the maximum Section 179 deduction for 2025 increased to $2.5 million, with a phase-out threshold beginning at $4 million of qualifying property. This expanded limit allows more businesses to expense higher amounts of their fixed asset acquisitions rather than capitalize them.

Section 179 is also allowed by most states, whereas many states, including New York, do not allow bonus depreciation. Construction firms that own real estate or complete new buildings or renovations should consider cost segregation studies to reclassify components of buildings (such as electrical, HVAC or finishes) into shorter-lived asset classes. Accelerating depreciation in this way enhances near-term deductions. These qualifying assets must be placed in service by Dec. 31, 2025 to be eligible.

Another significant development from the OBBBA for year-end planning is permanently restoring full expensing for domestic Research and Experimentation (R&E) costs for tax years beginning in 2025. This change reverses the Tax Cuts and Jobs Act's amortization requirement and allows taxpayers to deduct domestic R&E expenditures in the year incurred. Additionally, OBBBA provides transition relief allowing companies to accelerate the deductions for unamortized domestic R&E costs paid or incurred in 2022 through 2024. Depending on the size of the company, some may be able to amend prior tax returns to deduct these amounts. In contrast, the others would be able to amortize the balance over one or two years (or continue their current amortization schedules). Companies should evaluate these options to determine which one is best for their current and future tax planning.

Sustainability and innovation remain central to tax planning in the construction industry, and several key incentives can deliver meaningful benefits when paired with thoughtful expense-side planning. While the OBBBA changed the expensing rules for R&E expenses, the Research and Development (R&D) tax credit remains available and continues to reward companies that invest in innovative design, engineering, and construction methods that enhance efficiency, materials, or sustainability.

Similarly, the Energy-Efficient Commercial Building Deduction (IRC §179D) can provide up to $5.36 per/sf for qualifying energy-efficient building projects when prevailing wage and apprenticeship requirements are met under the enhanced Inflation Reduction Act rules. Contractors and design professionals should note that §179D will no longer apply to projects beginning after June 30, 2026, making now an optimal time to evaluate and schedule qualifying improvements. Together, these incentives support sustainable, high-performance building practices while helping firms manage taxable income and strengthen overall tax efficiency.

The Energy-Efficient Commercial Building Deduction (IRC §179D) can provide up to $5.36 per/sf for qualifying energy-efficient building projects when prevailing wage and apprenticeship requirements are met under the enhanced Inflation Reduction Act rules.

Beyond specific incentives, several broader strategies can further enhance year-end efficiency. Construction firms should revisit their accounting methods for long-term contracts and potential deductibility of prepaid expenses to identify opportunities to defer income or accelerate deductions.

As the construction industry navigates new rules and renewed incentives, effective year-end planning has never been more important. By taking a comprehensive approach, evaluating asset purchases under OBBBA, reassessing R&E amortization, leveraging available credits and deductions, and refining accounting methods, construction firms can significantly improve liquidity and minimize their 2025 tax burden. Firms that act now will enter 2026 better positioned to pursue new projects, invest in innovation, and compete in an increasingly complex market. ■

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.*

International Union of Operating Engineers Local 137

JEFF LOUGHLIN	BUSINESS MANAGER
JAMES SASSO	PRESIDENT/BUS. AGENT
MIKE MILLER	VICE PRESIDENT/BUS. AGENT
JOHN BELARDI	RECORDING CORR. SECRETARY
DAVE RYAN	TREASURER/TRAINING DIRECTOR
JAMES ARNAU	FINANCIAL SECRETARY
SEAN MEANEY	ASSISTANT TRAINING DIRECTOR

Executive Board

Ronald Burgess – Rocco Miceli – Dan Calandro – Trevor Rodney
Pete Sampogna – Evan Vona

Low Bids

El Sol Contracting, Road Safety Systems Land NYSDOT Bridge, Work Zone Jobs

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

El Sol Contracting ES II Enterprises of Maspeth, NY was the lowest of eight bidders at $26,484,000.28 for bridge maintenance and rehab, Routes I-87, 907C, 907M & 909C, City of New York in the Bronx, Kings, Queens and Richmond boroughs.

Road Safety Systems LLC of Hammonton, NJ was the lower of two bidders at $205,266.88 for requirements contract work zone traffic control at various locations in Columbia, Dutchess, Orange, Putnam, Rockland, Ulster and Westchester.

Skanska Koch, JR Cruz, HVB Secure Thruway Contracts in Hudson Valley

ALBANY—The New York State Thruway Authority reported the recent selection of three apparent low bidders for work on its network in the Hudson Valley region.

Skanska Koch Inc. of Carteret, NJ was the lowest of three bidders at $37,054,827. for cable anchorage retrofit for the Gov. Mario M. Cuomo Bridge at MP 14.67+/- in Rockland and Westchester.

JR Cruz Corp. of Holmdel, NJ was the lowest of three bidders at $6,215,793.75 for on-demand repairs to Thruway infrastructure at various locations in the Bronx, Orange, Rockland, Ulster and Westchester.

HVB Construction Inc. of Harriman, NY was the lowest of four bidders at $7,757,000. for replacement of the Interchange 21 Bridge over the NYS Thruway (I-87) at MP 113.89 in Greene County.

Johnson Controls, Gentech, Unlimited Tech, NYC Superior Construction Win DPW Work

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

Johnson Controls Inc. of Hawthorne, NY was the sole bidder at $4,539,180. for countywide maintenance service and small air conditioning systems (less than 50 tons) at various locations in Westchester.

Unlimited Technology Inc. of Elmsford, NY was the lowest of three bidders at $2,262,346.20 for maintenance and service of integrated security system at the Norwood E. Jackson Correctional Center at Grasslands Campus in Valhalla, NY.

Gentech Ltd. of New Windsor, NY was the lowest of three bidders at $817,645.50 for maintenance and service of emergency generators for the Department of Environmental Facilities at various locations in Westchester.

NYC Superior Construction Corp. was the lowest of 10 bidders at $999,800. for infrastructure improvements at the Grasslands Shelter Facility on the Grasslands Campus in Valhalla, NY.

Safety Watch

1099 or W2? What Contractors Can Learn About OSHA Liability and Safety Oversight

By COSTAS CYPRUS, ESQ.

The recent OSHA Review Commission decision involving Pettengill Family Restoration, LLC offers an instructive reminder for every construction company that relies on subcontractors or independent crews. While the case ultimately resulted in all citations being vacated, the underlying issues highlight the tension between project delegation and safety responsibility. When it comes to worker protection, the lines between "independent contractor" and "employee" can blur quickly.

In construction, control equals responsibility. Companies that direct, supervise, or coordinate field activities, even loosely, can be held responsible for OSHA compliance, regardless of how workers are classified for tax or payroll purposes.

Pettengill Family Restoration (PFR) engaged in the business of "remodeling, construction, carpentry and building." The company specialized in framing panelized or "kit" houses, which are prefabricated homes delivered in pre-cut sections for on-site assembly, mirroring a "Lego-block" assembly. PFR was a subcontractor to Framing Specialists, Inc. to frame and assemble these kit houses. Framing Specialists delivered the material for the homes, blueprints for the job sites, and then PFR would contact the workers who were available to perform the jobs. PFR's workers were actually independent contractors having signed agreements with PFR of indefinite time and duration. Framing Specialists' supervisors inspected and approved the work once completed, and provided workers with details for subsequent jobs. The PFR workers/independent contractors did not receive any training from PFR, made their own hours and could choose to work (or not) and brought their own tools to perform the work. They worked from a blueprint provided by Framing Specialists without supervision, and coordinated with Framing Specialists, not PFR, as to any issues with the work or to make a change to the scope of work.

Between January and October 2023, OSHA conducted four separate inspections of Pettengill Family Restoration (PFR) jobsites in Missouri. During these inspections, OSHA compliance officers observed familiar hazards: workers on roofs without fall protection, carpenters using nail guns without eye protection, and framers walking below elevated workers without hard hats.

Citations were issued under OSHA's fall-protection, ladder, scaffolding, and head- and eye-protection standards with many labeled "repeat-serious" because of prior citations issued to a related company, Pettengill Construction, LLC that had the same principal owner, Jennifer Pettengill. The proposed penalties across all four inspections totaled nearly $80,000.

Yet the case did not hinge on whether the hazards existed as photographs and testimony showed that they did but rather on the issue of who employed the people exposed to them. Were they employees of PFR, or independent contractors performing work under separate agreements?

At trial, the Administrative Law Judge (ALJ) examined whether PFR exercised sufficient control over the workers to be deemed their employer under the OSHA Act. That determination follows the Supreme Court's decision, *Nationwide Mut. Ins. Co. v. Darden* that set forth factors that courts consider including who controlled the work, provided tools, set hours, assigned projects, paid wages, and bore tax and insurance obligations.

The evidence painted a familiar picture of an informal field relationships common on residential construction projects. PFR's owner, Jennifer Pettengill, operated primarily as a bookkeeper. She never visited jobsites, set schedules, nor supervised the framers. The crews used their own tools, trucks, and equipment, and often worked for other contractors. They decided when to show up, how long to stay, and how to sequence the work. Payment

was made weekly by check after each worker texted in his hours and requested the amount due.

Here, under these circumstances, the ALJ found that the Secretary (of Labor) failed to meet their evidentiary burden that an employer-employee relationship existed but rather the evidence on balanced weighed in favor of the existence of an independent contractor relationship. PFR would accept jobs such as Framing Specialists, and basically act as an intermediary, paying independent framers to complete the jobs, and keep the difference as profit. Given that PFR lacked control over "the manner and means" of the work, it was not the employer under the Act. Without an employment relationship, OSHA could not sustain the citations.

While PFR prevailed legally, the decision underscores the fine line separating business models that delegate field work from those that directly employ it. In construction, control equals responsibility. Companies that direct, supervise, or coordinate field activities, even loosely, can be held responsible for OSHA compliance, regardless of how workers are classified for tax or payroll purposes.

This distinction is especially important for small-contractor settings where family-run operations, informal crews, and "1099 workers" are common. When multiple individuals work under one trade name, use shared trailers or tools, or take direction from a central figure, OSHA may view the company as the employer, even if everyone calls themselves independent and the determination really comes

Please Turn to Page 16

NYCDEP Continued from P. 1

said the county would continue to support Empire City but admitted that MGM had lost some of its trust with the county, City of Yonkers and the building trades who collectively lobbied heavily in support of the project.

County Executive Jenkins stressed the importance of investing in infrastructure and forging partnerships between government and the private sector. "What we have done here in Westchester, with the partnership with the CIC, is making sure we are not letting politics get in the way of doing the work for the health, safety and security of Westchester County. We get stuff done," County Executive Jenkins said.

CIC Executive Director John Cooney, Jr. addressed MGM's decision to withdraw its bid for a casino license and although disappointing, Mr. Cooney said the blame lies in large part with the New York State Gaming Commission. He noted that recently the Gaming Commission adopted new rules issued "in the ninth inning" that limited the license term of MGM Empire City from the anticipated 30 years to 15 years.

He said that the Gaming Commission's new formula based on the amount of investment did not take into consideration the costs incurred by MGM Empire in Yonkers and Resorts World New York City in Queens on acquiring and upgrading their existing gaming facilities.

"Yes, MGM has some blame, but the New York State Gaming Commission should look at themselves in the mirror," he said.

The DEP's Bureau of Engineering Design and Construction currently manages more than 210 capital projects valued at approximately $37 billion. The bureau has approximately $10.6 billion in committed capital project funding over the next 10 years. In Fiscal Year 2025 it will let 11 contracts worth approximately $2.3 billion and is projected to let another $1.9 billion in work in Fiscal Year 2026 and another $2.09 billion in Fiscal Year 2027.

Mr. McAndrew and Mr. Moriarty then detailed a host of Wastewater, Special and Water System contracts to be let in the near future, including large projects valued at more than $50 million and $100 million at DEP facilities in Westchester, Ulster, the Catskills and the boroughs of New York City. ■

The following are the list of NYCDEP Capital Projects scheduled to be let from late October 2025 into 2026:

Wastewater Capital Projects up to $50 Million

1. **Oakwood Beach WRRF (OB-136), Staten Island:**
   Construct New Electrical Building with New Transformers Bid
   Bid Opening: October 29, 2025
2. **Oakwood Beach WRRF (OB-134), Staten Island:**
   Headworks Improvements Anticipated Advertisement: Late 2025
3. **Flushing Creek (CSO-FC-DF), Queens:**
   Construct Disinfection Facilities
   Anticipated Advertisement: Early 2026
4. **Oakwood Beach WRRF (OB-144A), Staten Island:**
   Total Residual Chlorine Optimization
   Anticipated Advertisement: Mid-2026

Wastewater Capital Projects $50 Million-$100 Million

1. **Wards Island WRRF (WI-298), Manhattan:**
   Conversion to De-ammonification MBBR
   Anticipated Advertisement: Late 2025
2. **Six Water Supply Resource Recovery Facilities (CAT-506), Upstate Watershed:**
   Replace Rotating Biological Contactors
   Anticipated Advertisement: Late 2026

NYC Environmental Protection

Wastewater Capital Projects More Than $100 Million

1. **Red Hook WRRF (CSO-GC-SFS-RH3-CP3), Brooklyn:**
   Construct Superstructure for CSO Tank (8MG)
   Anticipated Advertisement: Late 2025
2. **Owls Head WRRF (OH-88), Brooklyn:**
   Rehabilitate Final Settling and Aeration Tanks; Blowers
   Anticipated Advertisement: Late 2025
3. **Owls Head WRRF (OH-112), Brooklyn:**
   Replace Main Sewage Pumps and Bar Screens
   Anticipated Advertisement: Late 2025
4. **North River WRRF (NR-107), Manhattan:**
   Marine Work to Repair Underdeck & Other Structural Elements
   Anticipated Advertisement: Early 2026

What's New & Who's News

Sr. V.P. Keith Chouinard of Skanska USA Civil Joins Construction Industry Council Board

TARRYTOWN, NY—Senior Vice President and General Manager for Skanska USA Civil Keith Chouinard, who is responsible for overseeing all major construction projects across the Northeast region, was elected to the Board of Directors of the Construction Industry Council at its quarterly meeting on Oct. 15 in Westchester. The announcement was made by John Cooney, Jr., who is the executive director of the association with headquarters here in Tarrytown.

With 35 years of experience at Skanska, Mr. Chouinard provides executive leadership and full profit and loss oversight for regional operations, generating more than $1 billion in annual revenue. His portfolio includes complex infrastructure projects ranging from highway and bridges to transit, power and water in a region that extends from Boston and Providence, RI, through New York, Baltimore, MD, to Washington D.C.

"I am truly humbled and honored to be selected as a member of the CIC board," Mr. Chouinard said. "Skanska and the CIC have similar values in championing infrastructure renewal in the Westchester and Mid-Hudson regions. I hope to be able to help as much as I can to further those goals as a member of the board."

Mr. Chouinard has been instrumental in the successful delivery of some of Skanska's highest-profile projects, including the Cat-Del Water Treatment Facility, MTA Harmon Shops, JFK Roadways and Ground Transportation Center, Portal North Bridge, Moynihan Train Hall and the World Trade Center Transit Hub. He works closely with project teams and customers to uphold Skanska's rigorous standards for safety and quality.

A passionate advocate for developing future industry leaders, Mr. Chouinard serves as an executive sponsor and mentor for several internal initiatives, among them are Skanska's Women's Network and Young Professionals Network.

He is a graduate of SUNY Stony Brook with a Bachelor of Science in Mechanical Engineering.

The CIC is a regional trade organization that represents the interests of the construction, building and associated material supply industries. The association encompasses an eight-county Mid-Hudson and downstate region of Westchester, Rockland, Orange, Dutchess, Putnam, Ulster, Sullivan and Columbia. For more information, visit www.cicbca.org. ■

Keith Chouinard
Senior Vice President
Skanska USA

Safety Watch

Continued from P. 14

down the details in any given situation.

From a safety standpoint, this decision should not be read as an excuse for companies not to undertake proper safety precautions and training for their employees. However, this decision reflects a growing challenge in today's construction economy: maintaining OSHA compliance in an era of decentralized labor. Gig-style arrangements where workers such as framers, roofers and laborers move fluidly between small entities, can blur the lines of accountability. OSHA continues to scrutinize these arrangements, particularly when repeat violations suggest a pattern of evasion through corporate restructuring.

The lesson for contractors is clear: independence must be genuine, not merely labeled. True independent contractors bring their own tools, assume risk and control their methods. However, once a company provides supervision, dictates work practices, or integrates workers into its daily operations, OSHA will likely be able to prove that those individuals are employees for enforcement purposes. ■

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@wbgllp.com. The articles in this series do not constitute legal advice and are intended for general guidance only.*

Budget Cuts Continued from P. 1

proposed capital budget from Westchester County Executive Ken Jenkins on Oct. 15. The capital budget proposal requests $604.8 million in new appropriations on an all-funds basis for 2026 including: $280.5 million for general county purposes and $266.9 million for refuse, sewer and water districts.

The Board of Legislators will also review the proposed Operating Budget and is charged with passing the comprehensive County Budget by the end of December 2025.

Westchester County Executive Jenkins said: "This is not a year for wish lists—it's a year for wisdom. We are facing significant financial challenges, and that means we have to make every dollar count. Doing nothing, delaying maintenance, or deferring critical projects would ultimately cost taxpayers more. This plan focuses our limited resources on the investments that matter most—the ones that keep Westchester running, safe and strong."

The 2026 proposed Operating Budget is based on flat sales tax revenue projections for 2026. In 2025, sales tax was originally budgeted to grow 3.5% over the 2024 forecast. However, year-to-date collections through September 2025 are flat compared to 2024. The full-year 2025 forecast is now $943.5 million, which is $26.3 million below budget.

For 2026, the county estimates $970.4 million in sales tax revenue, which represents a 2.8% increase over the revised 2025 forecast of $943.5 million but is essentially flat when compared to the original 2025 budget projection of $969.8 million.

"People are not spending money because of the chaos and uncertainty coming out of Washington," Mr. Jenkins said. "The instability created under Trump has seeped into Westchester County and is wreaking havoc on our finances—and we are not alone. Local governments across New York State and across the nation are confronting the very same pressures."

The County Executive also pointed to the fiscal fallout from the decision by MGM not to pursue a full casino gaming license at its Empire City property in Yonkers. That decision represents an estimated $17 million in lost annual revenue for the county, not including the ripple effects across Westchester's economy in the form of lost sales tax growth that would have followed, he noted.

Highlights of the $605-Million Proposed 2026 Westchester County Capital Budget

In terms of transportation and sustainability, the 2026 proposed Capital Budget includes $122.5 million to replace 94 aging hybrid buses, ensuring a more reliable fleet while significantly reducing emissions and improving air quality across Westchester. In addition, the county is investing $35 million, with an additional $15 million in local matching funds, to expand electric vehicle (EV) charging infrastructure, adding more than 650 new chargers across 77 sites.

Department of Public Works and Transportation Commissioner Hugh Greechan said, "The County Executive's 2026 Capital Budget proposal builds on this administration's record of strengthening critical infrastructure to serve the county's residents well into the future. This budget proposal provides results that will be seen and felt in every corner of the county, creating jobs and supporting the local economy along the way. The county's capital plan includes everything from road and bridge projects, parks improvements, and flood mitigation projects. I am thankful to the County Executive and this administration for prioritizing infrastructure improvement projects that provide real benefit to the county's taxpayers and look forward to working on these exciting projects."

The 2026 Capital Budget makes significant investments to strengthen Westchester's environmental infrastructure and resilience.

Highlighted Projects:

• Yonkers Joint Wastewater Treatment Facility. The county will invest $150 million for major electrical upgrades and $35 million for solids handling improvements, modernizing one of Westchester's most vital environmental facilities.

• Lake Isle Dam in Eastchester. The budget includes $9 million in new funding for flood mitigation projects, including $4 million for improvements to the Lake Isle Dam.

• Bridge and culvert replacements in Rye Brook and Rye. An additional $21 million from the New York State Environmental Bond Act will support projects such as protecting communities and strengthening local infrastructure against future storms in these Sound Shore communities.

• The future new Fleet and Road Maintenance Facility. Another key component of the capital budget includes major investments in county facilities to improve efficiency and support essential operations. It is estimated to cost $133.5 million, with $4.3 million in concept funds already appropriated to advance planning.

• The $15 million Complete Streets Municipal Assistance Program. In 2026, the county executive also proposes continuing the program launched in 2025 This program will again help local municipalities design and build safer, more accessible roads. Bonds are expected to be issued in early 2026.

• Housing Implementation Fund and New Homes Land Acquisition Program. In terms of housing-related funding, the county represents nearly $500 million in ongoing and future investments aimed at increasing and preserving affordable housing throughout the county. Since 2019, county funds have supported the creation or preservation of 3,383 affordable homes, helping ensure that more residents have access to safe, quality places to live.

The 2026 Capital Budget adds $25 million to each program, with continued annual funding planned through 2030.

More than 120 capital projects have been formally closed with cost savings in recent months, unlocking $13 million in available revenue for future needs, county officials stated.

The Westchester County Department of Public Works advertised in its Westworks publication a total of five road, bridge and infrastructure projects with a maximum estimated value of $51.35 million. The contracts were scheduled to be let from Oct. 29 to Dec. 10.

The largest contract, with a bid estimate range of $15.9 million to $16.9 million is the "Rehabilitation of Alexander Street and Irvington Pumping Stations, North Yonkers Sanitary Sewer District, City of Yonkers and Village of Irvington, New York," which was scheduled to be let on Wednesday, Oct. 29.

Also scheduled to be let on Oct. 29 was the "Boardwalk Replacement and Trail Rehabilitation, Briarcliff-Peekskill Trailway, Town of Cortlandt, New York" project, which had a bid estimate range of between $1.6 million to $1.75 million.

With a bid due date of Nov. 12, the Westchester DPW is advertising the "Replacement of Bronx River Parkway Bridge (NB: North of County Center – BIN 3348679) and Three Culverts (CBP0040, CBP0050 and CBP0060) over the Bronx River, Town of Greenburgh and City of White Plains, New York." This project has a bid-estimate range of between $12 million to $13 million.

On Nov. 19, a significant road resurfacing project is scheduled to go out to bid: "Roadway Resurfacing and Related Improvements to Playland Parkway, C.R. #152 from Playland Parkway Access Road, C.R. #147/ Thruway Access Road, C.R. #148 to Forest Avenue and Boston Post Road Access Ramp, A Distance of 1.14 Miles; and Reconstruction of Boston Post Road Bridge over Playland Parkway (BIN 2000050), City of Rye, New York." This project has a bid-estimated range of between $7.5 million to $7.7 million.

The final infrastructure-related contract advertised by the Westchester DPW involves a fourth bid letting date change to Dec. 10 for the "New Relief Sewer, Saw Mill Section B Sanitary Trunk Sewer, Saw Mill Sanitary Sewer District, Town of New Castle, New York." The project has a bid-estimate range of between $11 million to $12 million.

For the full proposed 2026 Westchester County Capital Budget go to: https://www.westchestergov.com/images/stories/budget/2026/2026-proposed-capital-budget.pdf

Regeneron Cites Progress at $1.8B Expansion In Westchester as Reason to End Suffern Job

By JOHN JORDAN

SUFFERN, NY—Regeneron Pharmaceuticals Inc. of Tarrytown, NY announced it will not move forward with a project valued at approximately $139 million to renovate the former Avon Products facility here that it acquired in December 2023. The firm, which is undertaking a $1.8-billion expansion at its facilities in Tarrytown and Greenburgh, intends to sell its Suffern complex after it had determined its expansion in Westchester would be sufficient for its growth needs.

A spokesperson for Regeneron confirmed that it has abandoned its plan to establish a new research and development facility at the 235,000/sf Suffern property and intends to sell the building. The company's plans were first reported in *Rockland News*. The decision is tied directly to the massive expansion program the company is undertaking across the Hudson River in Westchester County.

Alexandra Bowie, executive director, corporate communications for Regeneron Pharmaceuticals, said, "Regeneron has made the strategic decision to sell our Suffern, NY property, which was acquired to supplement the ongoing expansion of our Tarrytown campus. The decision reflects the progress of our Tarrytown project, which is providing additional lab and office space to meet the needs of our growing R&D pipeline, as well as our desire to keep more colleagues together on fewer campuses."

The former Avon Global Innovation Center in Suffern, NY will be sold by its current owner Regeneron Pharmaceuticals of Tarrytown, NY.

She added, "We remain committed to New York State and to our continued growth in the region. We are grateful to the local officials and community leaders in Suffern and Rockland County for their support and partnership over the past years. While our evolving needs have led to this decision, we value the partnerships formed and look forward to continuing our contributions to the New York State economy."

An entity of Regeneron Pharmaceuticals of Tarrytown, NY (Rock County Holdings) acquired the Avon Global Innovation Center at 1 Avon Place in Suffern for $38,875,000 from Avon Capital Corp., according to a deed filed with the Rockland County Clerk on Dec. 20, 2023. Regeneron secured a sales tax exemption of approximately $4.2 million on an estimated $50 million in improvements from the Rockland County Industrial Development Agency and also entered into a PILOT with local municipalities and school district. Regeneron stated in documents filed with the Rockland County Industrial Development Agency that it planned to spend nearly $100 million to retrofit the facility located on 10 acres for its research and development operations. The project was expected to create 230 full-time jobs upon completion.

In addition to the acquisition, the company's IDA filing apportioned the costs as follows: $63 million for reconstruction/ renovation work; $23 million in non-manufacturing equipment (furniture, fixtures, etc.) costs; and $6 million in soft costs.

Steve Porath, executive director of the Rockland County Industrial Development Agency, said Regeneron contacted the agency several weeks ago regarding its decision and that the IDA would be looking at the PILOT to determine whether any claw back of funds might be in order. The project to repurpose the former Avon facility was in its very early stages and he did not believe the company had taken advantage of any of the incentives granted by the IDA.

Rockland County Executive Ed Day released a statement on Regeneron's decision, stating: "While we're disappointed that Regeneron chose not to invest in Suffern, this moment will not define Rockland. Over the past decade, we've seen record-breaking economic growth and job creation. Since 2024 alone, my administration, working with the Rockland County IDA, has closed on 13 major projects representing $2.4 billion in new investment, 560 permanent full-time jobs, and more than 1,000 ongoing construction jobs, including union work. Rockland remains one of New York's most skilled and innovation-ready communities, and we will continue to aggressively pursue partners who share our vision for bold growth and opportunity."

Suffern Mayor Michael F. Curley said that it was a business decision by Regeneron to not move forward with the project in Suffern and he is hopeful that a new buyer will be found that will bring perhaps even larger investment and jobs to the village. Mayor Curley noted that Regeneron had signed a community benefits agreement with the village in connection with the Suffern building renovation that calls for the biotech company to contribute well over $100,000 a year. The mayor said he expects Regeneron to abide by that agreement, which reported ly is expected to provide the village $127,000 a year in 2026 and 2027.

Regeneron broke ground in June 2022 on the largest business expansion project in Westchester County history, the $1.8-billion expansion project at its corporate headquarters campus in Tarrytown/Greenburgh. The biotechnology company has committed to create at least 1,000 new full-time, high-skill jobs in the Mid-Hudson region over the next five years.

Tarrytown serves as Regeneron's corporate and research and development headquarters, and the expansion plan now underway includes the addition of new laboratories, preclinical manufacturing and process development suites and office space. The project will encompass the design and construction, and fit out of up to eight buildings, three parking garages and a central utility plant totaling approximately 900,000/sf. ■

Two Critical Accelerated Pavement Restoration Projects to Begin in Westchester County in 2026

ALBANY—New York announced late last month that the New York State Department of Transportation will be adding two important paving projects to its Hudson Valley paving program next year along two vital roadways in Westchester County, accelerating an investment to restore pavement and improve travel along key stretches of State Routes 133 and 100B.

State Route 133 provides a vital commuter connection to the Taconic State Parkway and key access to Westchester's vast transportation network, while State Route 100B serves as an important local route, providing access to the key north/south transportation corridor between New York City and the Hudson Valley for the flow of goods and commerce.

The projects were made possible thanks to a key investment from Sen. Andrea Stewart Cousins in cooperation with feedback from community stakeholders, key sections of these state routes will be resurfaced next year.

State and local political officials along with business and construction leaders joined New York State Department of Transportation Commissioner Marie Therese Dominguez at a press conference held at the NYSDOT yard in Millwood, NY announcing the accelerated projects. SOURCE: NYSDOT

The work includes a 2.5-mile section of State Route 133, between Pleasantville Road and State Route 100, in the Village of Ossining and towns of Ossining and New Castle in Westchester.

Also included is a project to resurface a 1.4-mile stretch of State Route 100B from State Route 9A, also known as Saw Mill River Road, to the Sprain Brook Parkway in the Town of Greenburgh in Westchester.

Each project will consist of milling and resurfacing the existing pavement with a warm-mix fiber-reinforced asphalt overlay that's longer-lasting, more durable and will minimize cracking. Grooved inlaid striping with reflective epoxy paint will also be added to increase the visibility of pavement markings during storms.

Additionally, the traffic signal along State Route 133 at Campwoods Road will be upgraded, a new crosswalk will be added, and the intersection will be made compliant with current Americans with Disabilities Act (ADA) guidance. Drainage improvements will also be included in the project to enhance roadway integrity, control erosion and manage stormwater runoff.

These projects are fully designed to engineering standards and NYSDOT will begin construction during next year's paving season. NYSDOT will minimize impacts to the traveling public with most work being conducted during nighttime hours with single lane closures during paving operations. These projects are anticipated to be complete at the end of the 2026 construction season with a section of State Route 133 possibly going into 2027.

New York State Department of Transportation Commissioner Marie Therese Dominguez said at a press conference held at the NYSDOT yard in Millwood, NY, "The Hudson Valley has some of the oldest and most heavily utilized roads in the State of New York. Recognizing this, Governor Kathy Hochul has demonstrated her commitment to renewing New York's roads with historic investments that are enhancing safety and providing smoother rides for travelers all across the state. By adding these two critically important Hudson Valley paving projects to next year's capital program, we are taking that commitment to a new level - always looking to address the needs of local commuters."

$37M Thruway Project in Orange County Completed

ALBANY—New York State officials announced on Oct. 20 the completion of a $36.6-million infrastructure improvement project on the Thruway (I-87) in Orange County.

The project, which commenced last year, included full and partial depth repairs on approximately 48 lane miles located a few miles north of exit 16 (Harriman - US Route 6 - NY Route 17) in Woodbury to Exit 17 (Newburgh - Scranton - I-84 - NY Routes 17K & 300) in Newburgh. Approximately 53,000 motorists use this section of I-87 in both directions each day.

Crisdel Group, Inc. of South Plainfield, NJ was the contractor on the project that included participation by union labor.

The project covered approximately 48 lane miles on the New York State Thruway in Orange County.

The improvement project spans from mileposts 48.0 to 60.1 and included full and partial depth pavement repairs to address the most deteriorated portions on the roadway in both the northbound and southbound direction. Crews also installed a two-inch asphalt overlay for a smoother riding experience.

Additional work included safety improvements such as installing new guiderail, new reflective line striping and upgrades to drainage and culverts. Approximately 85% of the Thruway's roadway base dates to its original construction in the 1950s, highlighting the need for heavy maintenance, reconstruction, and rehabilitation activities to keep the riding surface in a state of good repair.

Please Turn to Page 20

Albany Update Continued from P. 5

The largest project in the Mid-Hudson region was $35 million in state and federal grants and financing for the Village of Port Chester for two sanitary sewer upgrade projects. One of the state grants is funded by the Environmental Bond Act.

In addition, the City of Middletown in Orange County has secured an $8-million state grant and financing package for Phase 1A of the Kinch Pond raw water transmission main replacement. The grant is funded by the Environmental Bond Act.

The third Mid-Hudson region water infrastructure project is in the Town of Cortlandt where the state is providing $603,533 in low-cost financing for the construction at the Valeria Wastewater Treatment Plant and related collection system improvements, serving the Dickerson Pond Sewer District.

The funding also includes a state grant under Gov. Kathy Hochul's $100-million Lead Infrastructure Forgiveness and Transformation (LIFT) program. EFC's Board approved $2 million in LIFT and IIJA funding to replace lead service lines in the Southern Tier's Village of Bath. It's part of a broader $469 million statewide effort to get the lead out. Bath is one of 13 communities receiving these loan forgiveness grants to help cover costs not fully paid for by federal grants, minimizing the financial burden of these vital projects on local ratepayers. ■

Argenio Brothers Completes $11M Roundabout On State Rte 376 in Dutchess Near Vassar College

The new roundabout on State Route 376 in the Town of Poughkeepsie, NY.

ALBANY—New York State officials announced on Nov. 4 that work was complete on an $11.4-million project to reconfigure the intersection of State Route 376 (also known as Raymond Avenue/New Hackensack Road) and Hooker Avenue in the Town of Poughkeepsie to create a modern, single-lane roundabout to enhance safety and improve traffic flow along this important Dutchess County roadway.

The new roundabout features native landscaping and was designed to reduce potential conflict points that motorists and pedestrians encounter, while creating fewer backups. New crosswalks, sidewalks and other pedestrian accommodations improve access to nearby destinations, including Vassar College, Vassar Farms and the nearby Arlington business district.

The contractor on the project was Argenio Brothers of New Windsor, NY.

Gov. Kathy Hochul said, "Thanks to this new roundabout on State Route 376, students and faculty will have a safer way of getting to class at Vassar College and local residents and visitors will experience fewer hassles as they drive, bike, walk or ride public transit in the area."

New York State Department of Transportation Commissioner Marie Therese Dominguez said, the DOT created a project that "transformed a congested Dutchess County intersection into a flowing roundabout that reduces traffic conflicts, improves safety and provides better pedestrian and bike access, ensuring easier travel for students, local residents and visitors alike as they go about their busy days."

As part of the design process, the New York State Department of Transportation sought input from Vassar College officials and other area stakeholders to ensure the project addressed the community's needs. The result was a final product that promotes a cleaner, more sustainable transportation system, while also better serving all users—including pedestrians, bicyclists, public transportation riders and persons with all abilities. The new roundabout provides improved access to the college's pedestrian path, faculty housing and Vassar Farm's new driveway.

Construction began in the spring of 2024. Approximately 59 native tree plantings and over 600 native perennial plants were added to the project scope, including the roundabout's center island, to better match the surrounding landscape. Decorative lighting was also installed to assist users and further enhance the aesthetics of the roundabout. ■

REGIONAL BID ALERT

NYSDOT Region 8

Bid Letting Date: Dec. 4, 2025

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

Contract: D265611
PIN# 8LC121

Project Description: Orange Co. culvert replacements and rehabs - various locations, Towns of Cornwall, Highlands, Montgomery, New Windsor & Woodbury. Incentive/disincentive provisions.

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

Goals: DBE: 0.00%

Region 10

Bid Letting Date: Nov. 20, 2025

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

Contract: D265585
PIN# 0BCL25

Project Description: Nassau, Suffolk Cos., bridge cleaning and sealing - various locations.

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

Goals: MBE: 4.00%, WBE: 8.00%, SDVOB: 0.00%

Region 11

Bid Letting Date: Nov. 20, 2025

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

Contract: D265524
PIN# X73171

Project Description: Kings Co., corrective repairs & preventive maintenance - Gowanus Expressway, Viaduct Bridge, City of New York., PLA Candidate.

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

Goals: DBE: 9.00%

Bid Letting Date: Dec. 18, 2025

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

Contract: D265605
PIN# XM2455

Project Description: Bronx, Kings, New York, Queens, Richmond Cos., bridge maintenance - expansion joint repairs and replacements, various bridges, New York City.

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

Goals: DBE: 0.00%

New York State Thruway Authority

Bid Letting Date: Jan. 14, 2026

Contract: TANY 25-34 / D215065
Amendment #1

Project Description: installation of pavement markings at various locations in the New York Division in Ulster, Orange, Rockland and Westchester counties.

MBE - 0%, WBE - 0% and SDVOB - 0%

Bid Deposit: $75,000.00

Westchester County DPW

Bid Due Date: Nov. 19, 2025

Contract: 23-517

Title: Roadway Resurfacing and Related Improvements to Playland Parkway, C.R. #152 from Playland Parkway Access Road, C.R. #147/ Thruway Access Road, C.R. #148 to Forest Avenue and Boston Post Road Access Ramp, A Distance of 1.14 Miles; and Reconstruction of Boston Post Road Bridge over Playland Parkway (BIN 2000050), City of Rye, NY.

Description: This contract includes all of the labor, material and equipment necessary for the resurfacing and related improvements of Playland Parkway including repairs of drainage structures, new curbing, guiderail replacement, traffic signal improvements, and new pavement markings and associated work. The contract also includes the reconstruction of the Boston Post Road Bridge including the replacement of existing wearing surface, stone masonry, repointing, and pavement markings and associated work.

Bid Estimate Range: $7.5 million to $7.7 million

Pre-Bid Inspection: None Scheduled

Contact: Samantha Cachoian, 914-995-1670

Bid Due Date: Dec. 3, 2025

Contract: 19-529

Title: Replacement of Bronx River Parkway Bridge (NB: North of County Center – BIN 3348679) and Three Culverts (CBP0040, CBP0050 and CBP0060) over the Bronx River, Town of Greenburgh and City of White Plains, NY.

Description: The work under this contract consists of providing all labor, materials and equipment required for the replacement of the 3 culverts and bridge including but not limited to excavation, sewer bypass and relocation, concrete work, structure placement, backfill and site work, paving and striping, and landscape restoration.

Bid Estimate Range: $12 million to $13 million

Pre-Bid Inspection: None Scheduled

Contact: Jennifer Sicuranzo, 914-995-1998

Bid Due Date: Dec. 10, 2025 (Date Change)

Contract: 20-535

Title: New Relief Sewer, Saw Mill Section B Sanitary Trunk Sewer, Saw Mill Sanitary Sewer District, Town of New Castle, NY

Description: The work under this contract consists of providing all necessary labor, material and equipment required to construct approximately 1,560 feet of new 30-inch relief sewer for a section of the county's Saw Mill Section B Sanitary Trunk Sewer along Hunt's Lane in the Town of New Castle, New York in order to handle all existing and future sewer flow in this area of the district. The work will include, but not be limited to, excavation and fill, micro-tunneling, paving and other traffic maintenance roadwork, and installation of 30-inch sanitary sewer pipe and manholes. NOTE: The contractor is directed to the Special Notice regarding Project Labor Agreement (PLA).

Bid Estimate Range: $11 million to $12 million

MANDATORY PRE-BID INSPECTION: Held June 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: John Coelho, 914-995-5144.

New York State Dormitory Authority

Bid Due Date: Dec. 4, 2025

Title: Ulster Community College, Dewitt Library Elevator

Contract: CR4 General Construction

Project# 3815609999

DASNY is soliciting bids from Multiple Prime General Construction Contractors for the following Scope of Work to be performed at SUNY Ulster Community College, Dewitt Library.

The project consists of replacements and upgrades for the Elevator in the Dewitt Library at SUNY Ulster Community College. The scope of services of the General Construction contract includes but is not limited to selective demolition, earthwork, concrete, metals, interior construction including partitions, doors and hardware, conveying systems including elevators, furnishings including painting and flooring. Refer to the Project Documents (Project Manual and Drawings) for entire scope of work.

The project is scheduled to be substantially complete on or before August 7, 2026.

Estimated General Construction contract value is $500,000 - $600,000.

Sealed bids for the above work located at Ulster CC, 491 Cottekill Road, Stone Ridge, New York 12484 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 – LIANNE ALCANTARA." 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 December 4, 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: Daniel Coughlin, Project Manager, 515 Broadway, Albany, NY, 12207, 518-588-3197, dcoughli@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 was scheduled on Nov. 13, 2025, at 11:00 AM at SUNY Ulster Community College, Clinton Hall, 491 Cottekill Road, Stone Ridge, New York 12484. Contact Daniel Coughlin at 518-588-3197. 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.

Montesano Bros., Inc.

Celebrating 50 Years of Building Projects that Endure

From Humble Beginnings...

Montesano Bros., Inc., was built on grit, family and opportunity. In the mid-1970s, when work was scarce, co-founder Frank Montesano Sr. decided to take a chance on himself. With no formal training in paving or excavation, he began with a small truck, a roller and a vision, paving driveways throughout Westchester County. His wife, Vitina, held down the home front while he worked long hours to build something of lasting value, both for his growing list of customers and his family.

What started as a modest driveway operation soon became a name synonymous with quality, reliability and perseverance. The early work was simple: driveways, patch paving and small residential projects. The lessons learned, however, were deep and invaluable. Frank Sr. was known for his relentless work ethic and dedication to doing every job right. That commitment built the trust and garnered referrals that would open doors to bid and win larger municipal projects.

Next Generation Arrives...

When Frank Sr.'s oldest son Dominick Montesano came on board, a new vision took shape. Dominick saw the potential to grow beyond residential paving and expand into heavy construction, a move that would define the company's second generation of the family enterprise.

The company's first bonded project was awarded in early 1980 for the Westchester Joint Water Works in the Town of Mamaroneck. "We learned how to install water main with the help of an older generation of contractor," Dominick recalled. "That was a decisive moment for the company. It gave us the courage and the knowledge to pivot from being a small-scale residential paving concern to becoming a bona fide construction contracting enterprise."

With the support of his brother, Vito, and the vital contribution of Dominick's future wife, Toniann, who managed the phones and kept operations running smoothly, Montesano Bros. began taking on excavation, underground utilities and large-scale site development projects.

But the company's growth did not come overnight. The company's earliest office was a makeshift workspace, built inside a stand-alone steel shipping container. The company expanded quickly and today operates in a thriving work center with a payroll of more than 200 managers, staff and crews when fully mobilized from its New Rochelle headquarters and yard. The company now competes with larger established construction contractors, earning a reputation for tackling challenging jobs no matter the circumstances.

From left, Montesano Bros. founders Frank and Pasqual, circa 1968. Working together as a team, the brothers formally incorporated in 1975 as they began taking on larger private work contracts with more challenges and risks.

A Family Business Success Story: Montesano Bros. survives and thrives through a second generation; from left, Frank, Dominick, Vito and Richie.

Montesano Bros. at the Westchester Medical Center to relocate utilities, part of a recent sitework contract with Turner Construction.

Quick Facts

First Bonded Civil Project:

Westchester Joint Water Works (circa 1980–81)

Recent Contracts:

NYSDOT Route 100C Rehabilitation, Yorktown Culvert, Town of Mamaroneck Culvert Replacement, West Nyack Hamlet Revitalization, Elizabeth Seton Pediatric Center, New Rochelle City Streets, New Rochelle Marina, Culinary Institute of America and Blythedale Children's Hospital

Leadership:

Dominick, Vito, Frank and Richie Montesano

Core Values:

Family, Integrity, Hard Work, Mentorship

That determination paid off. By the late 1990s and early 2000s, two other brothers, Frank Jr. and Richard, joined the business, bringing with them skills to further strengthen the company's leadership team. Today, Montesano Bros. is participating on complex and highly technical projects that are valued at more than $100 million, serving major municipal, transportation and infrastructure facility owners who shape the region's landscape for decades to come.

Today, Montesano Bros. stands among the region's premier heavy construction and site development contractors, serving municipalities, private developers and state agencies throughout the Tri-State area.

Led by Frank Sr.'s four sons, Dominick, Vito, Frank Jr. and Richie, each brother plays a pivotal role in operations, project management and strategic growth. Together they continue to uphold the company's core values of family, integrity, hard work and mentorship while embracing cutting-edge technology, equipment and innovation.

Behind every project is a dedicated team bringing additional expertise, precision and pride to the job site. The next generation of leadership includes Chris and Kyle Montesano, Nick and Mulj, who serve as project managers, continuing the family's tradition of hands-on leadership in the field. Supporting them are Cory and Nolan in project coordination and field management.

In the office, a strong management team ensures operational excellence. Maria, Annais, Holly, Endrina and Collin oversee key administrative, financial and client service functions. On the equipment and maintenance side, James and Cole keep the fleet running at peak performance, ensuring safety, reliability and efficiency across every job.

The Road Ahead

As we celebrate 50 years of building what lasts, the next generation is continuing to integrate into the business. Staying true to our culture, every family member starts at the ground level, working in the field, learning from seasoned mentors and earning their place in the company.

This philosophy ensures that Montesano Bros. remains rooted in the same principles that built it: hard work, mentorship and integrity. Looking forward, we remain committed to innovation, investing in new technologies, expanding our fleet and developing the next generation of skilled professionals who will carry the torch forward.

After half a century, our mission remains the same:

To build with pride, lead with integrity and never forget where it all began.

50 Years of Building What Lasts

MONTESANO BROS. INC.

76 Plain Avenue, New Rochelle, NY 10801

914-235-4800 • www.montesanobros.com

BUILD BETTER | BUILD SAFER | BUILD UNION

Eastern New York Laborers District Council:

L. Todd Diorio, Business Manager

LOCAL 17, NEWBURGH, Jeff Diorio, Business Manager

LOCAL 60, WESTCHESTER, Anthony Ascencao, Business Manager

LOCAL 157, SCHENECTADY, Ian Joshua Shaul, Business Manager

LOCAL 190, ALBANY, Anthony Fresina, Business Manager

LOCAL 235, WESTCHESTER, RJ Merritt, Business Manager

LOCAL 754, ROCKLAND COUNTY, Stephen Reich, Business Manager

The NYS Laborers Offer:

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

EASTERN NEW YORK LABORERS' LiUNA! Feel the Power DISTRICT COUNCIL

668 Wemple Road • Glenmont, New York 12077
Phone: (518) 462-9350 • Fax: (518) 462-9359