

CONSTRUCTION NEWS



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New Laws Aid Apprenticeships, Fair Wages on Private Projects

By JOHN JORDAN

WHITE PLAINS, NY—Organized labor and public officials celebrated two major labor-protection bills that were signed into law this month that will benefit union contractors in the county and surrounding region by serving to train the future construction workforce in the county in the years ahead.

The Westchester County Board of Legislators unanimously passed the measure mandating apprenticeships on large county construction projects and for contractors to pay prevailing wages on certain projects being undertaken at county-leased properties. On May 13, Westchester County Executive Ken Jenkins signed the bills into law in the presence of 17

County legislators along with officials of the Building & Construction Trades of Westchester & Putnam Counties, Inc. The union council began the fight for the labor-protection measures in 2011.

BOL elected officials unanimously voted in support of the proposed law, "Mandating Apprenticeships in County Projects," at their regular board meeting on April 20. The new law requires contractors bidding on large county construction projects (over \$250,000) to provide hands-on, industry-aligned training and skill development to workers. Companies seeking those contracts must offer New York State-registered apprenticeship programs in the building trades. Contractors with 14 or fewer

employees are exempt.

The Board of Legislators also unanimously passed the "Westchester County Lessor Prevailing Wage Act," guaranteeing construction workers on county-leased properties the same standard union wages they would earn on County-owned job sites.

The measure, which was passed by the County Board of Legislators on May 4, closes a longstanding gap in state labor law that left workers unprotected on county-leased properties. Under existing law, construction on privately owned land, even when leased by the county and directly supporting county operations, can fall outside the legal definition of "public work," leaving workers

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'Topping-Off' Celebration

Building Trades V.P. Ed Cooke and White Plains Hospital President & CEO Susan Fox joined hundreds of construction workers and hospital officials to witness the final structural steel beam being set in place on the new \$750-million expansion of the medical center on May 7. Contractor and owner are delivering the new building under a project labor agreement with the Westchester & Putnam Building & Construction Trades Council. See story and picture, page 13.

MTA's Torres-Springer Spells Out Metro North's \$7.7B Capital Plan; Cites Progress on Penn Access

By JOHN JORDAN

RYE, NY—The annual Real Estate Conference staged by the Westchester County Association usually covers stock industry issues, such as commercial office adaptive reuse, the housing market or last year's fare on healthcare real estate. This year, the WCA offered a much different program focused on "The Infrastructure Imperative: Transit, Development, and the Systems Shaping Westchester's Growth."

In fact, infrastructure will be contributing billions of dollars in investment in the coming years and will help facilitate economic growth in Westchester and the region. Case in point, the event's keynote speaker MTA President of Construction and Development Jamie Torres-Springer discussed the MTA's \$68.4-billion Five Year Capital Plan, which includes \$7.7 billion earmarked for Metro North Railroad projects. In 2025, the MTA approved con-

tracts valued at \$15.8 billion systemwide on capital projects. He also noted that increased efficiencies, including improved planning, procurement and better delivery and execution of contracts led to \$4.2 billion in savings over the past five years.

Mr. Torres-Springer, who in a conversation with WCA President and CEO Michael Romita at the event held at the Westchester Country Club in Rye on May 13, discussed transit-oriented housing development initiatives and climate change risks on several of Metro North's rail lines and also cited some progress on the delayed \$2.5-billion Penn Access Project. Back in October, the MTA blamed Amtrak for a three-year delay until 2030 in having full service to Penn Station from four new stations in

the East Bronx. At the WCA event, Mr. Torres-Springer, while not offering a definitive new timeline, said that progress has been made and the MTA would soon announce a shorter window to Penn Access project completion.

Penn Access will involve building four new ADA-accessible Metro-North stations in Hunts Point, Parkchester/Van Nest, Morris Park, and Co-op City and creating a new service from Metro-North's New Haven Line to Penn Station, via Amtrak's existing Hell Gate Line. The project includes work necessary to bring Amtrak's Hell Gate Line into a state of good repair, which includes four bridge rehabilitations, reconfigured interlockings, upgrades to New Rochelle Yard, and the modernization of signal, power, and communication

equipment. The project is seen as an economic driver to communities in the Bronx and Southern Westchester.

Due to recent work performed by the MTA on Amtrak tracks, he noted: "I think we are in a good place," later adding, "Unfortunately it (Penn Access) is not opening in 2027 because we weren't able to

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Marist U. Plans New Science Building To Expand Courses, Research, Careers

POUGHKEEPSIE, NY—Marist University announced on May 12 a major new \$100-million Science and Health Initiative anchored by a new state-of-the-art academic facility geared at strengthening Marist's role in preparing the next generation of scientists and healthcare leaders.

The Science and Health Initiative is a long-term strategy to address growing societal and workforce needs. Among the goals will be to strengthen its current academic offerings and launching new fields of study. With the new facility, the university hopes to attract exceptional students and faculty as well as advance team-based learning and research.

"This is a long-term investment in Marist's academic strength, momentum and purpose," said Marist University President Kevin C. Weinman. "Science and health careers are growing and evolving rapidly but technical knowledge alone isn't enough."

A new, 100,000/sf Science

and Health building will anchor the Initiative, providing cutting-edge spaces for teaching, research, and collaboration.

Early designs envision a new building that will connect seamlessly to Marist's existing Allied Health facility, tripling the size of the current facility and creating a fully integrated Science and Health Complex. Interdisciplinary design firm HGA, which has won multiple national awards for its work, is leading the design of Marist's new facility. HGA's previous work includes a biomedical research center for the Broad Institute of MIT and Harvard University; teaching and research labs at Dartmouth College; and an integrated health sciences facility at Lehigh University.

Marist is currently working with town leaders and planning officials on required approvals in hopes of a groundbreaking this fall and opening during the 2028-29 academic year.

Demand for science and



A rendering of the new science and health building at the Marist University campus in Poughkeepsie. Artwork Courtesy/HGA

health-related education continues to grow nationwide. Looking ahead, the university is taking the early steps necessary to add a new Nursing curriculum, pending state approval, in addition to a Physics major that would be coupled with partnership pathways into Engineering programs in collaboration with other top-tier universities.

This initiative affirms the importance of Marist's full spectrum of scientific and

health disciplines—from foundational sciences to applied health fields. Combined with employer demand and strong lifetime earnings, these fields will position Marist as a national pipeline for educating future purpose-driven professionals, including environmental scientists, chemists, microbiologists, physician assistants, registered nurses, and physical therapists, the university stated.

Marist recently expanded

its collaboration with Vassar Brothers Medical Center and Northern Dutchess Hospital, now part of Northwell Health, which is one of the largest healthcare systems in the nation, giving students access to hands-on clinical experiences across more than 1,000 care locations and 28 hospitals. Northwell is among a variety of clinical partners Marist works with to ensure students have broad access to clinical rotations. ■

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Building Pathways to the Middle Class Through Apprenticeships to Real Careers



“Westchester County is so good, we are doing two bills today. The first is the apprenticeship bill, that invests in this young gentlemen, Alex Horvath (a first-year apprentice who attended the press conference).

The second bill, the prevailing wage bill, invests in Alex’s future.”

—*Local 3 IBEW Electricians Lou Sanchez*



“Throughout his career, County Executive Jenkins has been a steadfast advocate for organized labor, and these new laws are additional important steps in supporting working-class people in organized labor—not just for today, but for tomorrow.”

—*President Jeff Loughlin of the Building & Construction Trades Council of Westchester & Putnam Counties*



“By investing in apprenticeships, opportunities and supporting prevailing wage protections, we are creating pathways for people in our communities to learn while they earn without crippling debt, build lasting careers and strengthen working families right here at home.”

—*Westchester County Legislator Jenn Puja*



“The goal is to put people on a path to go from apprenticeships to be journey people and then to be master mechanics and to be able to have a career in the trades.”

—*Westchester County Executive Ken Jenkins*



“The Westchester Putnam Building Trades are open for business, open for apprenticeships, open for recruitment. This legislation is common sense, and people in the building trades appreciate common sense. This legislation helps businesses, the community, the youth and the legitimate workers in Westchester to succeed, to have opportunity and to thrive.”

—*Ed Cooke of the Building & Construction Trades Council of Westchester & Putnam Counties*



“Westchester makes it clear that we once again stand with workers. Whether it’s investing in paths to the middle class through apprenticeship programs or ensuring construction projects that are done

to benefit the county uphold current wage and benefit standards, these bills are more than the sum of their parts—they are a statement about Westchester County always lifting up standards for workers.”

—*Westchester County Legislator Emiljana Ulaj*



“These bills are really about the future workforce—to ensure that we can continue to build these capital projects so that the apprentices of today will be the skilled workforce of tomorrow.”

—*Westchester Deputy County Executive Joan McDonald*

*Summarized and edited for clarity.

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Labor Protection continued from P.1

without prevailing wage protections.

The new measure applies to lease agreements of 10 years or more and construction projects exceeding \$250,000 undertaken on behalf of the county. Contractors and subcontractors on those projects will be required to pay prevailing wages and maintain certified payroll records to verify compliance. The law takes effect for new lease agreements entered into 120 days after adoption. It includes an exemption for emergency construction work required to protect public health and safety, county officials stated.

At the bill-signing ceremony, Mr. Jenkins said, “These are the kinds of protections and workforce investments I have advocated for and fought to advance for decades. I am proud to see the

Board of Legislators take meaningful action to support working men and women across Westchester and ensure County projects create good-paying jobs, strong labor standards and real pathways to opportunity.”

Westchester Deputy County Executive Joan McDonald noted that over the past eight years the county has been focused on reducing the backlog of capital projects. The county has approved capital projects ranging from \$250,000 to as high as approximately \$95 million for the Glen Island Bridge project in New Rochelle and noted that the county earmarks more than \$300 million in capital project funding each year.

“We need trained employees and a trained workforce to get this work done,” Ms. McDonald said. “All of these bills are about today, but

they are really about the future and the future workforce to ensure that we can continue to build these capital projects so that the apprentices of today will be the skilled workforce of tomorrow in five, ten and twenty years in building the future of Westchester County.”

Ed Cooke of the Building Trades Council and Carpenters L.U. 279 said, “For more than 15 years, through every governmental position he has held, County Executive Jenkins has consistently pursued policies that create pathways to opportunity for working families. We are proud to stand with County Executive Jenkins and this Legislature because they have taken the first step toward building real careers in the Building Trades through apprenticeship programs and creating a true pathway to the middle class.” ■

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New York City Update

NYC Closes Budget Gap Through \$8 Billion In State Aid, Pied-à-Terre Tax, Other Reforms

NEW YORK —New York City Mayor Zohran Mamdani released the \$124.7 billion Fiscal Year 2027 Executive Budget on May 12 after securing another \$4 billion in state aid. City officials noted that the budget is balanced without raising property taxes, slashing services or drawing down the city's Rainy Day or Retiree Health Benefit Trust reserves and makes the largest city capital commitment to the New York City Housing Authority in recent history.

Mayor Mamdani's office reported that his administration inherited budget gaps that were larger than those seen during the Great Recession. Both the City and State Comptrollers agreed the prior administration had substantially under-budgeted core city services and obligations, increasing budget gaps to more than \$12 billion.

As part of the administration's efforts to restore fiscal

transparency and public excellence to city government, the mayor ordered every agency to appoint a chief savings officer. Through this effort, the administration achieved \$1.77 billion in gap-closing savings across FY2026 and 2027.

The city secured an additional \$4 billion in state support and actions to help stabilize the budget. That includes \$352 million in direct aid, \$3.2 billion in state authorizations, including pension liability restructuring and class size flexibility, mentioned above, and \$500 million in new revenue through a "pied-à-terre tax" on second homes valued above \$5 million.

Earlier, Gov. Kathy Hochul announced new state support and actions to help New York City close its budget deficit ahead of the release of Mayor Mamdani's Fiscal Year 2027 Executive Budget. State lawmakers secured an additional \$4 bil-



New York City Mayor Zohran Mamdani released his Executive Budget on May 12, a spending plan totaling nearly \$125 billion.

lion in gap-closing support, bringing the total new state assistance to nearly \$8 billion over two years.

Priorities include making

free universal childcare a reality, investments in education, public safety and infrastructure and providing the city with the resources needed to continue to fund critical services for New Yorkers.

In addition to the pied-à-terre tax, the mayor will work with Speaker Julie Menin and the City Council on their proposal to reduce the unincorporated business tax credit (UBT), which overwhelmingly benefits millionaires. Reducing the UBT tax credit will raise an additional \$68 million.

State and city officials projected revenue to be raised by the pied-à-terre tax has been estimated as high as \$500 million from second homes with market value of at least \$5 million. However, New York City Comptroller Mark Levine recently warned revenues could be reduced to between roughly \$340 million and \$380 million based on assumptions on exclusions for rented units and behavioral changes following the imposition of the tax.

The mayor identified an additional \$1.2 billion in savings by addressing systemic inefficiencies in critical programs, including improving access for special education students, reaching class size compliance and strengthening City-FHEPS (the City Fighting Homelessness and Eviction Prevention Supplement),

which is a rental assistance program that helps individuals and families find and keep housing. The city will also create a more predictable debt payment schedule, resulting in \$1.64 billion in savings in FY 2027 alone without impacting retirees, their benefits or current and future employee benefits.

The mayor noted the budget also makes investments to reduce the cost of living, strengthen public services, improve public safety, expand worker protections and support the health and well-being of New Yorkers across the five boroughs.

Among some of the city's major investments in the budget include \$4 billion in capital funding for the Department of Housing Preservation and Development across the five-year plan, plus an additional \$500 million in FY31.

The budget includes an additional \$500 million in FY28 for comprehensive NYCHA renovations. Combined with existing commitments and investments made in the FY27 Preliminary Plan, these funds will allow NYCHA to rehabilitate and modernize thousands of homes across FY27 and FY28. The city is also investing \$256 million over FY26 through FY28—in addition to expense budget funding—to restore vacant NYCHA apartments and return them to tenants. ■

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Attorney's Column

Court Invalidates Claim Over Pay-If-Paid Clause Long After the Provision Has Been Ruled Void

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

We recently wrote about the enforceability of conditions precedent contained in construction contracts, spe-

parties seek to mediate their dispute as a condition precedent to litigation. The recent appellate court case *Interebar*

lic policy back in 1995—the pay-if-paid clause.

Background

In February 2017, Lend-

It's mind-boggling that pay-if-paid clauses are still rearing their ugly little heads more than three decades after the New York Court of Appeals first invalidated them.

cifically advising that such conditions will be enforced unless they violate public policy. In that prior article, the requirement was that the

Fabricators LLC v C.B. Contracting Corp. deals with a different condition precedent, one that was held by New York's Court of Appeals to be against pub-

Lease (US) Construction LMB and Turner Construction Company, as joint venturers, entered into a contract to provide design-build services



Thomas Welby, P.E., ESQ.



Gregory J. Spaun, ESQ.

for the expansion of the Jacob

Javits Center in Manhattan. In December 2017, the JV entered into a contract with E.E. Cruz for Cruz to be the general contractor for the project. Cruz subsequently entered into a unit-price subcontract with C.B. Contracting for C.B. to furnish and install the rebar steel required for the project. That subcontract contained a provision that payments from the joint venture to Cruz were a condition precedent to Cruz's obligation to pay C.B. C.B. then entered into a supply agreement with Interebar Fabricators for the steel.

During the project, a dispute arose as to the amount of rebar installed at the project, with C.B. contending that it installed 8.8 million pounds. Interebar sued C.B. to recover the monies owing to it and C.B., in turn, sued Cruz to recover its invoiced amount and its retainage. After discovery, both Interebar and C.B. moved for summary judgment on their affirmative claims, with C.B. seeking both its balance and retainage. In doing so, C.B. documented the amount of rebar installed with invoices and shipment reports, both by invoice and by size and type of steel.

In opposition to C.B.'s motion, Cruz disputed the amount of steel installed by as much as one million pounds (based on take offs of the drawings), arguing that C.B.'s bills of lading were not sufficient to establish how much steel was actually installed, and stating that there was substantial waste removed from the site. Notwithstanding, Cruz argued that in the best-case scenario C.B. installed 8.3 million pounds. Using this amount, together with the fact that C.B. had been paid for over 8.4 million pounds, Cruz contended that

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East Fishkill Supervisor Pulls Plug On Plan to Build Big Data Center

By JOHN JORDAN

EAST FISHKILL, NY—Town supervisor, Nicholas D'Alessandro, recently dismissed reports of a massive data center project planned for this Dutchess County community.

In response to recent media reports and significant social media activity that the prospective project has generated, the supervisor announced on May 11 that there is no formal application before the town for the 1,000-megawatt data center project reportedly being studied by Teaneck, NJ-based Treetop Development.

"No site plan, special permit application, zoning request, or other development application has been submitted to the town for review," Mr. D'Alessandro stated.

He later added that town officials have been advised that the town's current electrical infrastructure would not support the data center project's power demands. Published reports state that the East Fishkill data center would require an electrical capacity similar to the Cricket Valley power plant in Dover, NY, which began operations in April 2020.

"While property owners and private developers may explore concepts or hold preliminary discussions regarding potential future uses of land, such conversations do not constitute an approved project or an active development proposal," Mr. D'Alessandro explained.

The Journal News and other media outlets have reported on a possible 1-gigawatt data center project being proposed by Treetop Development on a wooded site where the company has been seeking to secure approvals for a large warehouse project. However, those plans for a now-scaled-down 765,000/sf warehouse development have been delayed due to a warehouse moratorium imposed by the town in 2024, which has been extended until June 30, 2026.

Locally, Rockland County has seen a number of data center developments, including projects by DataBank and JP Morgan in Orangeburg, with DataBank looking to build another in



DataBank opened its LGA3 data center in Orangeburg, NY in May 2025. The LGA3 data center is located at 2000 Corporate Drive and is a critical hub for advanced infrastructure supporting artificial intelligence (AI) and High-Performance Computing, the company states. The grand opening event welcomed 75 attendees, including elected officials, media outlets, representatives of the IBEW union, and key partners such as DataBank's general contractor, AECOM/Tishman.

the county. However, data center construction, which is on the rise, has mainly occurred outside of the New York metro region and is facing backlash.

In February, New York State Sen. Liz Krueger (D-WF-28SD) in Manhattan and State Assemblymember Dr. Anna R. Kelles (D-AD125) in Ithaca, NY, introduced legislation that would impose a three-year moratorium on the development of data center projects over 20 megawatts in New York State.

On March 25, Sen. Bernie Sanders (I-VT) and New York Rep. Alexandria Ocasio-Cortez (D-14AD) of the Bronx and Queens announced the AI Data Center Moratorium Act, legislation that would enact a reasonable pause to the development of AI to ensure the safety of humanity.

More than 100 local communities around the country have enacted moratoriums on data centers and 12 states are studying whether to impose statewide moratorium proposals.

Earlier this year, Cushman & Wakefield reported that the data center sector continues to rapidly expand, but is facing headwinds.

"Across the region, governments, utilities and local jurisdictions are introducing new regulatory guardrails and infra-

structure requirements resource use, and long-term grid stability, the report stated. "Regulatory

changes are increasingly shaping how and where development occurs. New permitting rules, zoning adjustments, infrastructure cost-sharing requirements, and local moratoriums are slowing approvals in several established markets and pushing activity toward tertiary locations where power availability, permitting timelines, and land availability provide faster paths to deployment."

Cushman & Wakefield notes that the Americas host 43.4 GW of operational data capacity with nearly 94% located in the United States. There are currently 25.3 GW under construction and nearly 90% of the space is pre-committed prior to delivery.

Northern Virginia continues to lead global development activity, while emerging power-advantaged markets such as West Texas and tertiary U.S. regions are gaining momentum, the real estate company reported. ■



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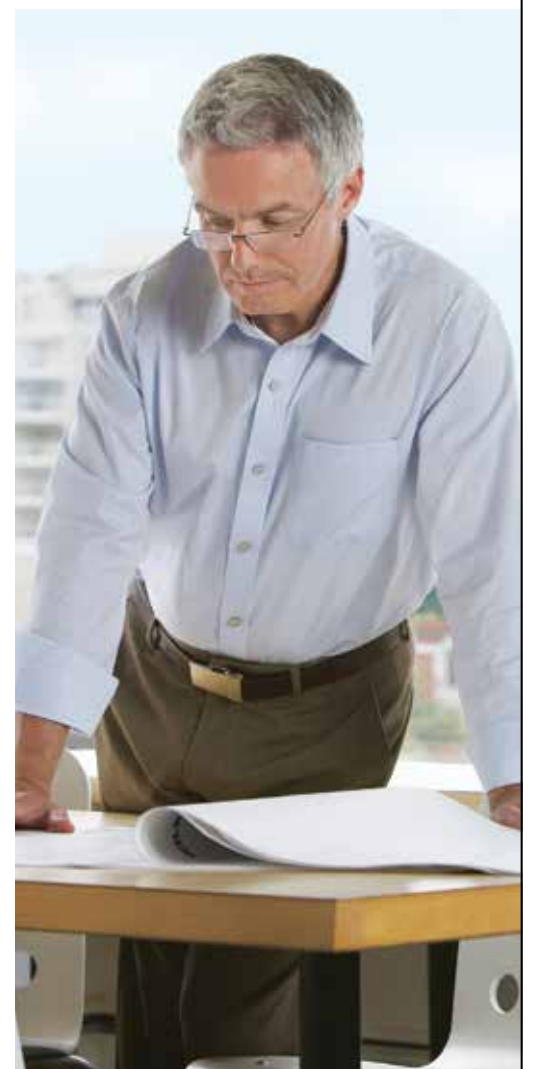
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Washington Update

National Coalition Meets with Congress To Shape New Transportation Funding Bill

WASHINGTON—The Transportation Construction Coalition (TCC), the united voice of America's transportation construction industry, convened more than 400 industry leaders, labor representatives, engineers and infrastructure advocates in Washington, D.C., for the first day of its annual fly-in as Congress develops the next major surface transportation reauthorization bill.

The first day, May 12, featured remarks from national transportation leaders, including U.S. Department of Transportation Secretary Sean P. Duffy and House Transportation and Infrastructure Committee Ranking Member Rick Larsen (D-WA). The next day, coalition members were scheduled to meet with lawmakers and

staff across the aisle to urge timely passage of the next reauthorization bill and funding for America's highways, roads, bridges, transit, safety programs and multimodal infrastructure.

"America's transportation construction industry has arrived in Washington with a simple message: pass a reauthorization bill that helps deliver the projects every congressional district depends on," the coalition said in a joint statement. "Federal transportation investments are not abstract line items. These programs keep our economy growing, freight moving and communities connected."

The Transportation Construction Coalition is a partnership of 34 national associations and construction

unions representing hundreds of thousands of individuals with a direct market interest in federal transportation programs. Established in July 1996, it is co-chaired by the American Road & Transportation Builders Association (ARTBA) and the Associated General Contractors (AGC) of America.

The coalition's annual fly-in came at a pivotal moment for federal transportation policy. The current surface transportation authorization expires Sept. 30, 2026, raising the stakes for Congress to pass a timely, bipartisan bill that protects current investment levels, adjusts for inflation, and improves project delivery. Industry leaders also warned that delays could stall projects, drive up costs, and create uncertain-

ty for states and contractors planning long-term work.

"The next reauthorization is about delivering safer roads, easier commutes, stronger supply chains, and lower costs for American families and businesses," the coalition continued. "As lawmakers begin to debate the next surface transportation bill, they should protect the crucial investments already at work in every congressional district, adjust them for inflation, and deliver a bipartisan bill by September 30."

The coalition recently released its 2026 Principles for Surface Transportation Reauthorization, offering Congress a practical framework to keep America building while easing congestion, improving safety, strengthening

supply chains, and ensuring federal transportation dollars are used efficiently.

The coalition is urging Congress to:

- Keep America building by protecting current investment levels and adjusting them for inflation to maintain purchasing power, while enacting project delivery improvements to ensure dollars are efficiently put to use.

- Protect workers in construction zones with more resources to help keep construction workers and the traveling public safe while road improvements are made.

- Stabilize long-term funding by modernizing federal user fee structures, such as fuel taxes or mileage-based mechanisms, to ensure fair, sustainable revenue streams. ■



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Guest Viewpoint

Building a Healthier Rockland Community Requires Mental Health Awareness Services

By ED DAY

Each May, during Mental Health Awareness Month, we are reminded of something fundamental to Rockland County's strength: our community thrives when every resident can access the support, respect and care they deserve. Mental health is not a side issue—it is essential to individual and public health, family stability and community safety. Over the past year, our Department of Mental Health has made meaningful progress that reflects our shared commitment to the wellbeing of every Rocklander.

In 2025, we continued to build a stronger, more responsive system of care. One of our most important achievements was the

soft launch of Rockland's new Behavioral Health Helpline on Dec. 1. For the first time, residents have a central place to turn for information, assistance, crisis support and mobile response anywhere in the county. In the year ahead, we will make this service even more accessible with a simple, memorable phone number.

We also advanced our efforts to combat the opioid epidemic. Using Opioid Settlement funds, we supported the opening of Rockland's second Oxford House, creating 10 new recovery beds for women and women with children, while expanding access to lifesaving tools like Narcan. These and other collabora-

tive efforts contributed to a 6.5% reduction in drug-related deaths in 2025.

Our work to reduce stigma and strengthen community understanding and support continued as well. More than 300 local providers, educators, law enforcement officers and first responders were trained in autism and neurodivergence awareness, helping ensure residents receive compassionate, informed care during vulnerable moments. We also expanded recreational opportunities for individuals with developmental disabilities and assisted more than 80 families applying for NYS Office for People with Developmental Disabilities (OPWDD) services.

Looking ahead to 2026, we plan to establish a psychosocial club for adults with serious mental illness, expand services for children ages five and under, broaden OPWDD navigation support, and create a farm-based after-school program to build social and self-regulation skills. We will also enhance housing support services and move forward with harm-reduction vending machines and an overdose fatality review board, among other key initiatives.

During Mental Health Awareness Month, I want to be clear: Rockland County will continue to support the development of compassionate, forward-thinking services that align with the



needs of our residents.

Together, we are building a community where every resident has the opportunity to be safe, supported and hopeful. ■

About the author: Ed Day is the County Executive of Rockland County.

Mental Health Awareness Campaign Helps Workers Struggling with Self-Harm Risks

TARRYTOWN, NY—May is Mental Health Awareness Month, a time to reflect and take action. In the construction industry, this conversation is not just important, it is urgent.

For decades, our industry has led the way in improving physical safety. Today's jobsites are safer than ever because we made safety a priority. But there is another risk we can't see, one that doesn't come with a warning sign or protective gear: mental health.

Construction workers face long hours, physical demands, job uncertainty, and time away from family. Add to that a culture that has historically valued toughness over vulnerability, and it becomes clear why so many

struggle in silence.

The construction industry consistently ranks among the highest for suicide rates across all professions. In fact, construction workers are several times more likely to die by suicide than the general population, and suicide rates in the industry far exceed fatalities from jobsite accidents.

This is not just a national issue, it is local. In Westchester County, approximately 65 to 75 lives are lost to suicide each year, a sobering reminder that mental health challenges exist in every community, including our own workforce.

There is growing recognition that mental health must be treated with the same urgency as physical safety. In-

dustry leaders, unions, and organizations are stepping up, launching peer support programs, awareness campaigns, and training initiatives aimed at breaking stigma and saving lives.

Just as we've transformed jobsite safety culture, we can do the same for mental health. That starts with:

- Talking openly about mental health on jobsites.
- Including 988 in safety briefings, posters, and materials.
- Training supervisors and foremen to recognize warning signs.
- Promoting peer support programs.
- Partnering with organizations that provide mental health resources.

Mental health is not a per-

sonal issue, it is a workforce issue, a safety issue, and a leadership issue.

One of the most important tools available today is the 988 Suicide & Crisis Lifeline. Anyone can call or text 988, anytime, to connect with trained counselors. It is free, confidential, and available 24/7, for those in crisis, those struggling, or those concerned about someone they care about.

And yet, awareness is still not where it needs to be. At a recent community event, many people in the audience were unfamiliar with 988, despite it being available nationwide for three years. It was a powerful reminder that we cannot assume people know where to turn, we must keep sharing

the message.

Just as we've changed the culture around physical safety, we can do the same for mental health. That starts with simple steps: talking openly, checking in with one another, and making sure everyone knows that help is available.

Because a truly safe job site is not just one where workers are protected from physical harm, it's one where they know they are not alone.

If you or someone you know needs support, call or text 988, or visit 988lifeline.org. "Three numbers can save a life: 988". ■

Editor's Note: This article was curated and edited by Sharon Regan-Masciovecchio with industry reports.

Resources for Help and Support

If you or someone you know is struggling, help is available:

- **988 Suicide & Crisis Lifeline**
Call or text 988, or visit: <https://988lifeline.org>
- **Crisis Text Line**
Text HOME to 741741 or visit: <https://www.crisistextline.org>
- **National Alliance on Mental Illness (NAMI)**
<https://www.nami.org>

Construction Industry Resources

- **CPWR (Center for Construction Research and Training):** <https://www.cpwr.com>
- **American Foundation for Suicide Prevention (AFSP):** <https://afsp.org>
- **National Center for Construction Education & Research (NCCER):** <https://www.nccer.org>

Suffolk Construction Stages ‘Topping Off’ On \$750M White Plains Hospital Expansion



WHITE PLAINS, NY—Construction Manager Suffolk Construction held a “topping off” ceremony on May 7 for White Plains Hospital’s \$750-million expansion project, which broke ground just over a year ago, on May 5, 2025.

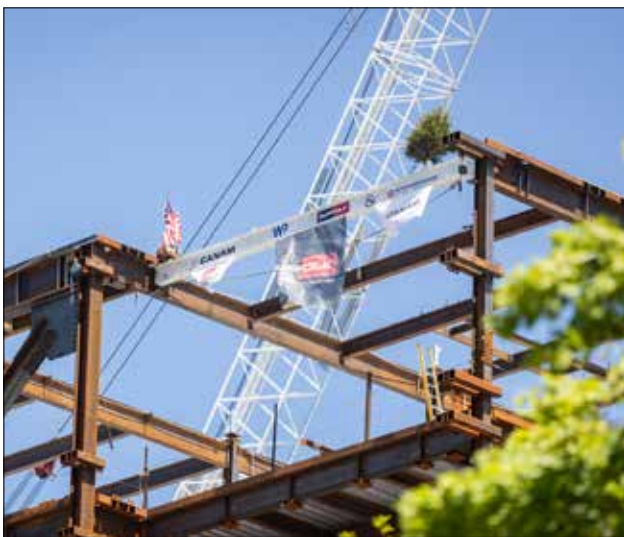
Joining Suffolk National President Ralph Esposito and White Plains Hospital President & CEO Susan Fox were hundreds of construction trade workers employed on the project. Other officials included the hospital’s senior leadership, its Board Advisory team and campus transformation and project management teams.

Scheduled to open in 2028, the new White Plains Hospital expansion will

feature 240 private rooms, a new emergency department that will double the current facility and additional state-of-the-art operating rooms.

The project, which will cost an estimated \$750 million, will be financed through a combination of a \$500 million Dormitory Authority of the State of New York (DASNY) bond, philanthropy and equity from operating expenses.

The hundreds of building trade members employed on the project are engaged under a project labor agreement (PLA) with the contractor and owner, said Jeff Loughlin, president of the Building & Construction Trades Council of Westchester & Putnam Counties, Inc. ■



Ralph Esposito, National President of Suffolk Construction



MTA Continued from P. 1

get the outages and support from Amtrak that we were expecting, but we are in better shape than the three-year (delay). We will have news really soon.”

Some of the major Metro North capital projects Mr. Torres-Springer highlighted included \$1.7 billion in improvements to Grand Central Terminal. He noted that the system suffered \$5 billion damage from Hurricane Sandy and is just about completed, spending \$7 billion in federal funds focused on resiliency from coastal storms. He noted that also planned as part of Metro North’s capital plan are major improvements to eight stations along Metro North’s Harlem line.

He noted that the MTA, after conducting a Needs Assessment on all of its assets, is focused on State of Good Repair work. Some of the needs in the Metro North system, which boasts 250,000 daily riders, are:

- 88% of the substations providing traction power to the Metro North system have exceeded their useful life.
- 89% of the elevators at Metro North stations have exceeded their



From left, MTA President of Construction and Development Jamie Torres-Springer and WCA President and CEO Michael Romita. Photo Courtesy of Westchester County Association

useful life.

- 150 miles of Hudson and Harlem line signal systems need to be replaced.
- There is significant climate risk,

particularly on the Metro North Hudson line.

The Hudson line is particularly vulnerable due to its steep slopes (40% on the east side) and its loca-

tion near the Hudson River(50%) to a host of storm-related issues, heat risk and rising water levels. He noted, “The Hudson Line, something like 40% to 45% of it will be under water at high tide in a few decades.” He said the MTA is working now to address those climate risk issues.

Mr. Torres-Springer said that MTA is looking to facilitate housing development adjacent to its train stations. While noting that the MTA does not own a significant amount of land adjacent to its stations, it is working on a major project in Beacon and is studying possible development projects at the Mount Vernon East and Port Chester Metro North stations.

The WCA event also included a panel discussion featuring developers who discussed their respective projects in the region and offered their views on how the approval process could be improved to foster new development, including affordable housing construction.

The Construction Industry Council of Westchester & Hudson Valley, Inc. was one of the sponsors of the WCA’s Annual Real Estate Summit. ■

CIC-BCA Spring Dinner Draws 125 Contractors, Labor Execs to Talk on Highway Reauthorization

By JOHN JORDAN

WHITE PLAINS, NY—During this year’s legislative session in Washington, the agenda for the national transportation construction industry is clear: the contracting community and organized labor must unite and press Congressional leaders to enact a new multi-year funding bill totaling nearly \$588 billion over the five-year term to pay for our roads, bridges, airports and more.

How and when the legislation gets passed in this mid-term election year is where things get complicated. That bumpy pathway to reautho-

rizing the federal transportation funding bill, which expires on Sept. 30, topped the agenda at the annual Spring Membership Meeting of the Construction Industry Council of Westchester & Hudson Valley, Inc., and the Building Contractors Association of the Mid-Hudson Region on April 22, held at the Sonesta Hotel here.

CIC Executive Director John Cooney, Jr., welcomed some 125 members and guests who heard a presentation by the evening’s guest speaker, American Road and Transportation Builders (ARTBA) General Counsel Richard

Juliano. A leading national spokesman for the industry, Mr. Juliano said he was hopeful that a bipartisan five-year federal highway and transit funding bill—one that will continue the funding of the current Infrastructure Investment and Jobs Act (IIJA)—will be approved prior to the Sept. 30, 2026 deadline.

“We think, going back to his first term, (President Trump) is inclined to do something and something big (in terms of the reauthorization legislation),” Mr. Juliano said. He added that even if the bill passage deadline is not met, funding will not lapse.

Mr. Juliano said ARTBA has been pressing Congressional leaders to enact a new funding bill that would amount to \$588 billion over the five-year term.

The CIC-BCA Spring Membership Meeting also featured an informative presentation by Gregory J. Spaun, Esq., an attorney with Welby, Brady & Greenblatt, who discussed several human resource-related issues facing contractors today and their legal and regulatory obligations when those matters arise. The presentation, entitled “So You’ve Hired a New Employee? An Employer’s First Day

Responsibilities,” described the various requirements of properly onboarding an employee—from immigration requirements to background checks, to wage theft prevention to notification issues.

The sponsors of the CIC-BCA Spring Membership Meeting were: Bay Crane, EP George Surety Bonds, Laborers L.U. 60 and 235, East Coast Industrial Services, Byram Concrete & Supply Inc., Goosetown Communications, Yonkers Contracting Company Inc., Operating Engineers L.U. 137, Welby, Brady & Greenblatt, LLP, and RCA Asphalt. ■

2026 SPRING MEMBERSHIP MEETING



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Safety Watch

Forklift Mishaps Head List of Jobsite Risks, Making Training, Inspection a 'Must Do'

By **COSTAS CYPRUS, ESQ.**

Powered industrial trucks such as forklifts, continue to be among the most heavily scrutinized pieces of equipment across general industry, warehousing, shipping operations, and at construction sites with good reason. Forklift accidents are well documented as a leading cause of fatalities and work-place injuries.

OSHA enforcement initiatives and Occupational Safety and Health Review Commission decisions on the subject make clear that employers who fail to properly train operators, inspect equipment and enforce safe work practices face significant exposure when preventable incidents occur. For construction employers and contractors who regularly use forklifts, lull equipment, telehandlers, pallet jacks or similar mobile equipment, the message is straightforward: forklift safety programs must be documented, implemented and actively enforced.

The decision in Secretary of Labor v. Prime International Shipping, LLC precisely shows these issues, which were documented as a result of an inspection following a workplace fatality. In this matter, OSHA investigated a shipping and loading facility where employees loaded vehicles into shipping containers utilizing forklifts, wire rope, lumber and other materials. Although the case involved shipping operations rather than traditional construction projects, the hazards identified by OSHA are the same types of hazards routinely observed at construction sites involving material handling operations.

During the inspection, OSHA observed forklift operators working without seatbelts and determined that employees operating powered industrial trucks had not received compliant operator training under relevant safety rules, such as OSHA 29 C.F.R. § 1910.178(l). OSHA also identified additional hazards involving fall protection gaps at loading docks and an improperly guarded chop saw used in connection with loading operations.

The employer attempted to defend the citations by arguing that the exposed workers were independent contrac-

tors rather than employees. The court rejected that argument and found that the workers were economically

29 C.F.R. § 1910.178(l).

The OSHRC decision further highlights another recurring issue on construction

clear:

- Employers should ensure that every forklift or powered industrial truck operator

For construction employers and contractors who regularly use forklifts...the message is straightforward: forklift safety programs must be documented, implemented and actively enforced.

dependent upon the company and operated under the employer's control despite the issuance of IRS 1099 forms.

Judges such as the administrative law judge in Prime International Shipping look beyond labels and contractual characterizations when determining responsibility for workplace safety. If a company controls the manner and means of the work, supplies the equipment, directs operations, or supervises workers, OSHA may still treat those workers as employees for enforcement purposes.

The forklift training violations themselves were significant here. OSHA determined and the ALJ agreed that the company lacked evidence of formal operator training, evaluations, certifications, or documentation showing compliance with OSHA's powered industrial truck standard. The administrative law judge emphasized that practical "hands-on" instruction alone is insufficient under OSHA regulations.

Indeed, OSHA's forklift standard specifically requires a combination of formal instruction, practical training, and evaluation by a qualified trainer. OSHA's guidance issued in April 2025 reinforced this requirement by clarifying that practical forklift training and evaluations must occur under the direct supervision of a qualified individual physically present at the training location. That guidance is particularly relevant in an era where employers increasingly rely upon remote instruction, online safety modules, or informal "on-the-job" shadowing. OSHA's recent guidance expressly noted that remote livestream instruction alone cannot satisfy the practical evaluation component required under

sites: experienced operators are not exempt from evaluation requirements merely because they operated forklifts elsewhere in the past. The court noted that even where a worker previously operated forklifts, the employer still bore responsibility to evaluate the operator's competence under the conditions present at that workplace, which they had failed to do here.

The five practical lessons and call-to-actions for construction employers are

has current and documented training that complies with OSHA's requirements. That includes classroom or formal instruction, practical demonstration, hands-on evaluation and certification documentation maintained by the employer.

- Employers should routinely evaluate operators for site-specific hazards. Construction sites constantly change. Surface conditions, pedestrian traffic, material storage configurations, excavation work, ramps, blind corners and overhead hazards



can materially impact forklift safety.



- Employers must actively enforce basic operational rules, including seat-belt usage, safe speeds, load handling procedures and separation between forklifts and workers on foot to prevent tip-overs, collisions, obstructed views, unstable loads and pedestrian strikes, which have been recurring causes of serious injury and death.

- Employers should

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Rockland Picks Development Team For Sain Building Site Redevelopment

By JOHN JORDAN

NEW CITY, NY—A nearly decade-long effort to have the county-owned Sain Building redeveloped may finally be at hand. However, while a key milestone was reached recently, a shovel in the ground is still likely several years away.

On May 8, Rockland County Executive Ed Day and outgoing Rockland County Director of Community Development Alexandra Obremski announced that Regan Development of Ardsley, NY and Rockland Housing Action Coalition (RHAC) of New City, NY were selected to redevelop the roughly 3.69-acre Sain Building site at 18 New Hempstead Road in New City. The Regan-RHAC proposal bested three other applications submitted to the county's Request for Proposals issued in June of last year. The county awarded the Regan-RHAC team an Exclusive Negotiating Agreement. County officials stated that final proposal details were being negotiated.

"Today marks an important step forward in transforming a long-vacant property into

high-quality, affordable housing for seniors, vulnerable residents, essential workers and volunteers," said Rockland County Executive Day. "We are helping ensure that long-time residents—and those who serve our community—can continue to live and thrive here."

Rockland County Legislature Chairman Jay Hood Jr. said, "This property has long served the public and through this new effort, it will continue to do so by providing vital affordable housing for those most in need of it — our seniors, veterans, first responders and people with developmental disabilities. This project reflects what can happen when government, nonprofit organizations and responsible developers work together toward a common goal."

At press time, a resolution awarding the Exclusive Negotiating Agreement is being processed for submission to the County Legislature and is on track to be voted on during its June 16 meeting.

However, the process will still take several years before

construction might begin. If the agreement is approved by the Rockland County Legislature, final redevelopment details of the project will be negotiated by the county and the Regan/RHAC team. The proposal will then be reviewed by the Clarkstown Planning Board and the developers will seek federal, state and local funding support for the project. The final step will have the Rockland County Legislature vote on the final disposition of the property.

Ms. Obremski said the Regan-RHAC proposal stood out based on the team's combined experience, which boasts 30 affordable rental developments in New York State, and for its alignment with community priorities.

The redevelopment proposal includes the demolition of the existing Sain building, and the construction of a three-story mixed-use space with 23 age-restricted, affordable senior rental units, 25 non-age-restricted affordable rental units and 3,100/sf of retail space.

The proposal calls for earmarking 10% of units for



Rockland County Sain Building, New City, NY.

veterans, 5% for first responders/essential workers, and 10% for individuals with Intellectual/Developmental Disabilities (IDD). The plan also includes 40,000/sf of recreation and park space. The plan features a mix of units affordable to those earning 30%, 50%, 60% and 80% AMI, or Area Median Income.

A public presentation of three redevelopment proposals took place in the County Legislative Chambers on Feb. 9, 2026. Survey responses from neighbors and the public after the presentations overwhelmingly preferred the Regan/RHAC proposals because of the amount of green space,

sensitivity to local needs and more affordable rents, county officials stated.

The effort to redevelop the long-shuttered Sain Building has had its share of fits and starts. One of the first proposals came in 2018 when a plan to sell the property for \$4.51 million to the Massachusetts-based firm National Development failed to gain support from the County Legislature. The firm's offer was eventually withdrawn.

Rockland County, which used the building for some county operations, closed the Sain Building in December 2017. It has remained empty since then. ■



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Low Bids

Stilsing Electric Wins NYSDOT Signals Contract

ALBANY—The New York State Department of Transportation announced recently that **Stilsing Electric Inc.** of Rensselaer, NY, was the lower of two bids at \$1,170,199.50 for Regionwide Signals Contract at various locations in Columbia, Dutchess, Orange, Putnam, Rockland, Ulster and Westchester.

FCS Group Awarded Thruway Bridge Painting Work

ALBANY—The New York State Thruway Authority reported recently that **FCS Group LLC** of Springfield, NJ, was the lowest of four bidders at \$3,001,111. for New York Division Bridge Painting of three bridges at MP 20.93, MP 20.96 and MP 60.11 in Rockland and Orange.

EW Howell to Rehabilitate Playland Park Ice Casino

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

EW Howell Co., LLC of Plainview, NY, was the lowest of four bidders at \$54,968,717. for Rehabilitation of the Ice Casino at Playland Park in Rye, NY.

Durham Fence Company, Inc. of Middlefield, CT was the lower of two bids at \$1,342,125. for guiderail replacement on the Bronx River Parkway and at various county roadways in Westchester.

Piazza Inc. of Hawthorne, NY, was the lowest of nine bidders at \$10,357,000. for a new snow equipment storage building at the Westchester County Airport in the towns of Harrison and North Castle and Village of Rye Brook, NY.

Vinco Builders LLC of Mahopac, NY was the lower of two bids at \$539,380. for Post 2 Entrance Gate Booth Replacement at the Norwood E. Jackson Correctional Center at Grasslands Campus in Valhalla, NY. ■

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NYSDOT UPDATE

Road & Bridge Work Advances At NY Rte. 17/Exit 122 in Wallkill

WALLKILL, NY—As warmer weather arrives, ECCO III Enterprises, Inc., in partnership with the NYSDOT and HDR, opened the temporary configuration for the proposed relocated Exit 122 ramp on Route 17 WB in Middletown, NY, on April 27, 2026. This milestone allowed progress into Stage 3A WB, with work continuing for the reconstruction of Route 17 to Interstate 86 standards within the project limits.

The reconstruction of Route 17 EB and the Wallkill Bridge continues to progress with the installation of precast concrete bridge beams scheduled for next month. Additionally, the reconstruction of Crystal Run Road is progressing with construction of the proposed Shared Use Path.

The next Milestone will be the opening of the newly configured Ramp J (Route 17 WB to I-84 EB).



Safety Watch

Continued from P. 15

maintain documented inspection and maintenance procedures for powered industrial trucks to avoid circumstances such as hydraulic failures, brake failures and carbon monoxide hazards.

- Employers should understand that OSHA increasingly expects powered industrial truck safety to be part of an overall safety management system rather than an isolated training issue. The decision in Prime International Shipping repeatedly emphasized the employer's failure to implement inspections, safety rules and oversight procedures.

Forklifts and powered industrial trucks remain essential tools throughout the construction industry. These operations remain under heightened OSHA scrutiny, so employers who fail to properly train operators, document evaluations, inspect equipment and enforce safe practices may quickly find themselves facing substantial citations following an incident or inspection.

More important, these requirements exist to prevent precisely the types of crushing, struck-by, tip-over and fall hazards that continue to cause serious injuries and fatalities throughout the industry every year. ■

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



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County Exec. Jenkins Lauds Local Economy, Issues a 'Hard No' on Reopening Indian Point

By JOHN JORDAN

WHITE PLAINS, NY—Westchester County Executive Ken Jenkins gave his 2026 State-of-the-County address earlier this month, stressing that the county's economy remains strong. He also said the county is firmly against reopening the now-shuttered nuclear power plants in Buchanan, NY.

Mr. Jenkins highlighted a host of county initiatives during his speech on May 6 before the County Board of Legislators and guests, including its efforts in reducing crime, investing in affordable housing, the modernization of Westchester County Airport and clean energy programs.

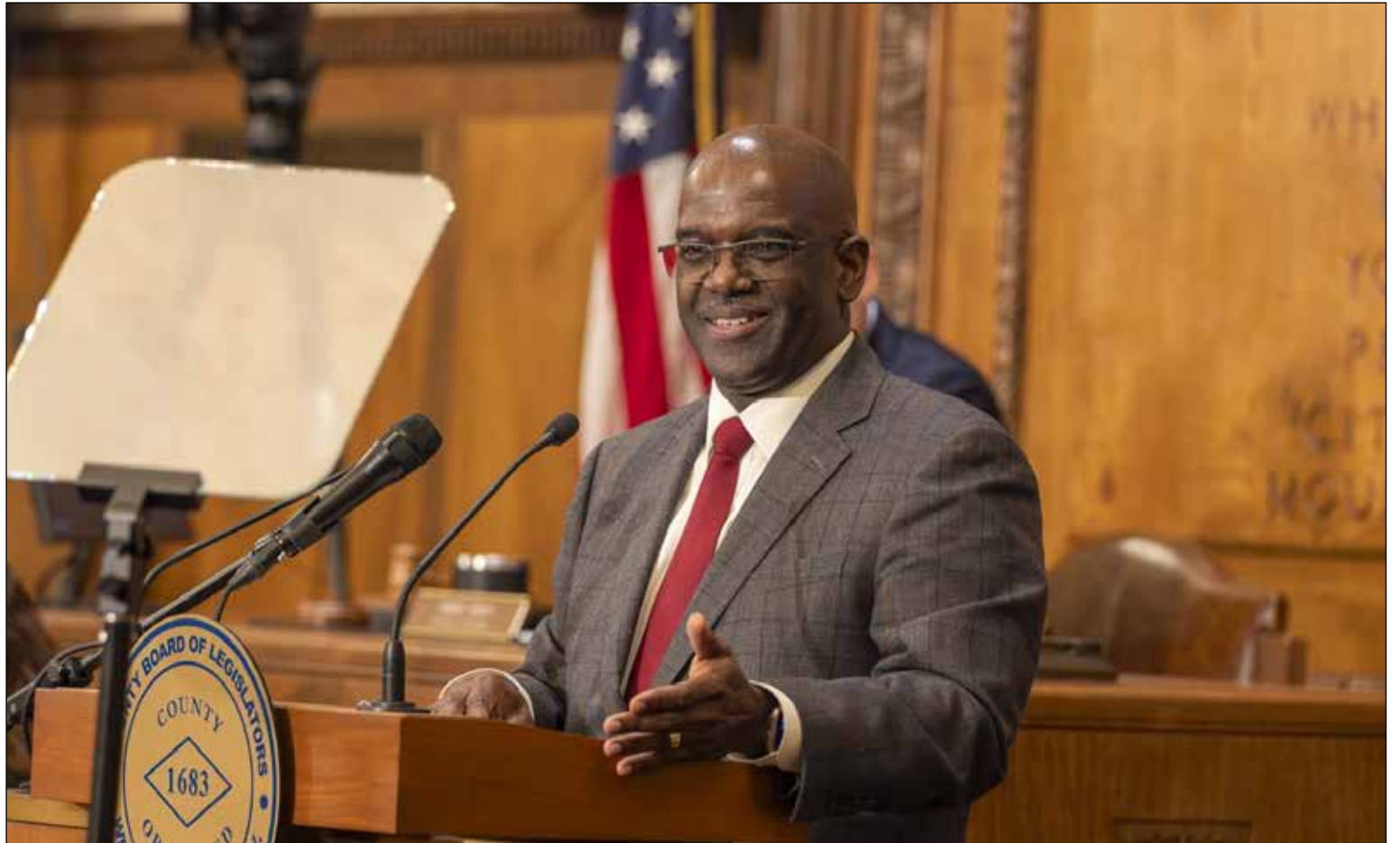
The County Executive also noted the county's strong financial outlook. Recently, Westchester County once again earned the highest possible "AAA" bond ratings from both S&P Global Ratings and Fitch Ratings, reflecting strong financial management, healthy reserves and long-term fiscal stability.

Additionally, Mr. Jenkins addressed the 3.7% tax increase imposed by the county for 2026. "I made a promise to you that I would always lead with honesty and with reality, not politics. And the truth is this: it would be irresponsible—truly irresponsible—for me to hold the line or cut taxes while the needs of our residents are growing every single day," he said.

While chronicling the county's clean energy policies and waste reduction efforts, Mr. Jenkins made clear his position on proposals to reopen the Indian Point nuclear plants in Buchanan. "Restarting the Indian Point Energy Center is not welcome in Westchester County... We do not need it—and we do not want it."

Mr. Jenkins said he supports Gov. Hochul's plan to expand nuclear energy capacity in New York State in appropriate locations, while excluding New York City, Long Island and the Hudson Valley from consideration. "So, let me be clear, once again: opening a new nuclear power generator at Indian Point is a hard no."

"New York State already has access to a range of low-cost, environmentally responsible energy alternatives, including solar, wind,



In his State-of-the-County address, Westchester Executive Ken Jenkins extolled the highest credit rating (AAA) the county has earned.

geothermal and hydropower. The health and safety of millions of residents in the Hudson Valley will always matter more than reopening a nuclear facility," he continued.

The county's low crime rate was a highlight of his address. He noted that last year, compared to 2024, crime was down—from violent crimes such as murder, rape, robbery and aggravated assault, to property crimes that include burglary, larceny and motor-vehicle theft.

Overall index crime dropped by 17%. Violent crime saw a sharper decline at 25%, while property crime shrank by 15%.

Mr. Jenkins also described the need for affordable housing as one of the most urgent challenges facing the county and its residents.

"Over the past year, we've approved funding for projects that will create and preserve hundreds of homes across Westchester County—supportive housing for young people aging out of foster care, new opportunities for first-time homebuyers, and safe, modern apartments for families and seniors," he said.

He listed county-funded projects that involved new construction, renovations and adaptive reuse of office buildings throughout the county over the past year.

In closing, he posed, "If

anyone asks, 'What is the state of our county?' tell them it is not found in a report, in a spreadsheet or in

a speech. The state of our county is our people...your struggles, your resilience, your hopes and your voices.

The state of our county is strong; the state of our county is hopeful; and the state of our county is you." ■



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What's New & Who's News

Ron Hicks Joins Central Hudson to Direct Utility's Economic Development Programs

POUGHKEEPSIE, NY—Central Hudson Gas & Electric announced on May 4 that it has hired Ron Hicks as Director of Economic Development to help ensure the utility's infrastructure is fully leveraged to support business attraction, expansion and job creation.

Mr. Hicks will work closely with economic development organizations, local governments and state partners across Central Hudson's service territory to attract new businesses, support the expansion of existing employers

and encourage job creation and community growth.

His work will be focused on strengthening the regional economy while maximizing the value of Central Hudson's existing infrastructure. These efforts are intended to help stabilize the customer base, enhance system efficiency and deliver long-term cost benefits for ratepayers.

With more than 25 years of experience in economic development and strategic business planning, Mr. Hicks brings a proven track record of driving investment and

creating opportunities for Hudson Valley communities, the utility said in a statement.

"Ron has been a fixture in the regional business community for decades and his vision aligns perfectly with Central Hudson's mission to power the lives and businesses of residents across the Hudson Valley," said Steph Raymond, president and CEO of Central Hudson. "I'm thrilled to have Ron join our team and confident he will play a pivotal role in advancing our commitment to sustainable growth and greater

economic stability for the communities we serve."

Mr. Hicks has held a range of leadership roles at the city, county and state levels, both within and beyond New York. His service has included deputy county clerk of Dutchess County, regional director for former Governor George Pataki, regional director for Empire State Development, and, most notably, a long tenure with the Office of the Dutchess County Executive.

A resident of the Town of LaGrange, he holds a bachelor's degree from Marist Col-



Ron Hicks

lege and a master's degree from the Rockefeller College of Public Affairs & Policy at SUNY Albany. ■

E.V.P. Bryan Girsch of Wohl Diversified Services Elected to Building Contractors Assn. Board

By **GEORGE DRAPEAU III**

TARRYTOWN, NY—Bryan Girsch, the executive vice president of Wohl Diversified Services, was unanimously elected on March 18 to the Board of Directors of the Building Contractors Association of Westchester & The Mid-Hudson Region, Inc., at the group's quarterly meeting here on March 18. The announcement was made by BCA Executive Director Matthew Pepe.

As a new board member, Mr. Girsch now represents the interests of more than 55 major contracting companies that serve the public and private sectors as signatory employers with many of the union building trades locals in the lower Hudson Valley.

Mr. Girsch has been a driving force behind his company's growth and innovation since he joined the enterprise in 2021. Wohl Diversified Services (WDS) is a fourth-gen-

eration family business that undertakes many specialized projects in the region. Among them have been services provided to major employers and national brands such as Disney, World Wrestling Entertainment, Regeneron and Lionsgate Studios. His strategic vision and operational expertise have been crucial in managing these high-profile ventures.

"Bryan is known for his collaborative leadership style," commented Jonathan Wohl, chairman of WDS. "Bryan is committed to mentoring others to become emerging leaders, essential office staff and highly productive field workers. His contributions continue to drive Wohl Diversified Services' success, ensuring its readiness for future challenges and opportunities, while upholding the company's time-tested principles and storied legacy."

Mr. Girsch brings to the BCA an executive's perspective—to determine and executing strategic goals with operational expertise—which has been crucial in the management of his own company for its fiscal health and risk mitigation. He also looks forward to contributing to the BCA his perspectives on safety and quality in the building and construction procurement process to the highest standards for his workers and clients, he added.

"For more than 60 years, the BCA has worked with private owners, regional developers, engineers and architects who seek high-quality professionalism in building construction services that are essential to the lasting success of building projects," he said. "I hope to expand the association membership and channel my keen interest in technology to help streamline internal processes that

will benefit all BCA-aligned companies so they become more productive and profitable."

He concluded, "I'm proud to be an integral part of the BCA's legacy and leadership. The association is a tightly knit network, and I look forward to using my knowledge and experience to help advance our organization to better serve our contractors members and subcontractors in the years to come."

Mr. Girsch also serves on the board of the Subcontractors Trade Association (STA) and Plasters and Spray Fireproofing Contractors of Greater New York (P&SFC), where he continues to advance best-industry practices and to foster professional development.

In his early career, Mr. Girsch built an impressive career in professional sports, working with the Florida



Bryan Girsch

Panthers and the New York Rangers. Additionally, he played a pivotal role at a Sports and Entertainment agency, managing high-profile brands that included UFC, Cirque Du Soleil, Warner Brothers and HBO.

Mr. Girsch received his B.A. degree in management from Florida State University. In his free time, he enjoys playing golf, coaching youth sports and building web applications. ■

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\$10B Midtown Manhattan Bus Terminal Hits Significant Construction Milestone



A rendering of the new Midtown Bus Terminal. Credit: Foster + Partners & Epstein

NEW YORK—The Port Authority of New York and New Jersey reported on April 28 that placement of the first steel beams to support the Dyer Avenue deck overs had begun, marking a significant milestone in the bi-state agency's \$10-billion Midtown Bus Terminal Replacement project.

The deck-over space will temporarily support bus operations during construction of a new bus terminal, after which they will be converted into publicly accessible open green space, which is one of several significant benefits promised to the surrounding community through the redevelopment project.

"After decades of fits and starts over plans for a new bus terminal, we finally get to see the placement of the first steel girders that will not only support the construction of a new world-class terminal but will deliver much-needed public open space to this community," said Port Authority Executive Director Kathryn Garcia. "We are literally creating new real estate in the middle of Manhattan and a great community amenity for the city's future."

Steel construction comes almost a year after the agency broke ground on the Dyer Avenue deck-overs, which will consist of two decks built over be-

low-grade portions of Dyer Avenue and the Lincoln Tunnel Expressway between West 37th and West 38th streets and between West 38th and West 39th streets. It will serve as a bus staging and operations area during construction of the main terminal and later be transformed into 3.5 acres of new publicly accessible open green space after construction of the new bus terminal is complete.

The deck-overs will be supported by 139 steel girders, weighing between 60,000 and 80,000 pounds each, and measuring up to 81 feet in length to span the below-grade roadways. The steel has been fabri-

cated at facilities in Olean, NY, as well as in South Carolina and Delaware. Each beam is painted in Millville, NJ and is trucked into Manhattan over the George Washington Bridge, traveling down Broadway and Ninth Avenue for delivery to the site. After steel is lifted and placed, pre-cast concrete decking will be placed on top.

To facilitate the delivery and installation of steel, the Port Authority has enacted overnight closures of the Lincoln Tunnel Expressway, with New Jersey bound travel diverted to 10th and 11th Avenues for access to the tunnel between 11 p.m. and 5 a.m. on

Tuesdays, Wednesdays and Thursdays, continuing into August.

Construction of the Dyer Avenue deck overs are a component of the first phase of the bus terminal replacement project, which also includes construction of a staging and storage facility and a structure containing new ramps leading to and from the Lincoln Tunnel. Phase 1 will be complete in 2030, when construction of the second phase will begin. Phase 2, including the demolition of the existing terminal and the construction of a new bus terminal in the same location, will be complete in 2035. ■

Attorneys Column Continued from P. 8

C.B. was actually overpaid for its work. Further, Cruz argued that, as it had not been paid by the owner, C.B.'s retainage was not yet due.

Decision

The motion court granted C.B.'s motion, finding that C.B. made a sufficient showing of the amount of rebar it installed at the project, and that Cruz's claims of waste and insufficient documentation were unavailing. The court also found that Cruz failed to submit any admissible evidence showing that a different quantity of rebar was installed, holding

that its amorphous statement about waste, and its claim that only as-built drawings (which were not required or provided) could establish the actual quantity of rebar installed, were conjecture and not sufficient to deny summary judgment to C.B.

Further, as to the payment timing clause, the motion court held that the subject contractual language was a void pay-if-paid clause, and not a legal pay-when-paid clause. The court also commented that even if it were an enforceable pay-when-paid

clause, the lengthy delay was unreasonable and, therefore, the provision would be unenforceable. Cruz appealed, but the appellate court affirmed for the same reasons cited by the motion court.

Comment

The fact that pay-if-paid clauses are still rearing their ugly little heads—more than three decades after the New York Court of Appeals first invalidated them—is mind boggling. While one might argue that an out-of-state contractor brought in by a national outfit could be excused for failing to

realize that its national boilerplate documents include provisions that have been invalidated by New York's courts or legislature, the fact that sophisticated local contractors still include such provisions is nothing short of a self-inflicted wound.

While many upstream contractors will argue that the contract documents must set forth the supremacy of the upstream contractor's position over the downstream subcontractor, there are ways to do it without resorting to harmful posturing. The fact that these

clauses are still included in modern contract documents should also give contractors cause to reach out to experienced construction counsel to review their contracts to advise them which provisions are enforceable and which ones are not. ■

About the authors: *Thomas H. Welby, Esq., P.E., is General Counsel to the CIC and the BCA, and founder and Senior Counsel to Welby, Brady & Greenblatt, LLP. Gregory J. Spaun, Esq., is General Counsel to the Queens and Bronx Building Association and a partner with the firm.*

REGIONAL BID ALERT

NYS DOT Region 8

Bid Letting Date: May 21, 2026

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

Contract: D265781
PIN# 809947

Project Description: Westchester Co., interchange improvement - Cross County Parkway, Exit 3, City of Yonkers.

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

Goals: DBE: 0.00%

Bid Letting Date: May 21, 2026

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

Contract: D265783
PIN# 813133

Project Description: Westchester Co., wall repair - Route 22 (SH 5606), Village of Scarsdale.

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

Goals: DBE: 0.00%

Region 10

Bid Letting Date: May 21, 2026

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

Contract: D265795
PIN# 0CWS01

Project Description: Nassau, Suffolk Cos., sign requirements, curve warning - various locations.

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

Goals: DBE: 0.00%

NYS Thruway Authority

Bid Letting Date: May 20, 2026

Contract #: TAA 26-12B / D215080

Description: Amendment#5, Rehabilitation of the Mainline (I-87) Bridges over the Kaaterskill Creek and Catskill Creek at Milepost 111.13 and Milepost 113.22 in Greene County.

Goals: MBE – 5.00%, WBE – 5.00%, SD-VOB – 3.0%

Bid Deposit: \$7,500,000

Bid Letting Date: June 3, 2026

Contract #: TANY 26-17B / D215020

Description: Replacement of Pine Hill Road Bridge over I-87 at MP 47.58, Rehabilitation of I-87 Bridge over Smith Clove Road at MP 47.04 and Resurfacing and Safety Improvements on I-87 Between MP 46 and MP 48 in the Town of Woodbury in Orange County.

Goals: MBE – 9.00%, WBE – 9.00%, SD-VOB – 3.0%

Bid Deposit: \$750,000

Westchester County DPW

Bid Due Date: May 20, 2026

Contract: 10-532

Title: Slope Stabilization of North Yonkers Trunk Sewer, Yonkers Joint Plant Districts, Dobbs Ferry, Hastings, and Yonkers, NY.

Description: The work under this contract consists of providing all necessary labor, material and equipment required to rehabilitate the North Yonkers Trunk Sewer, including but not limited to, stabilization of the existing earthen slopes where the trunk sewer is buried. In the past, erosive storm water flows off the steep slopes have exposed the sewer pipe and uprooted trees uphill of the trunk sewer undermining, exposing and damaging the sewer, resulting in the release of raw sewage to the surrounding areas. In order to prevent future damage, stabilizing measures such as minor tree removal, small retaining walls and granular fill over the exposed pipes within the existing Right-of-Way will be implemented to help mitigate future exposure and undermining of the pipes.

Bid Estimate Range: \$5.5 million to \$6.0 million.

Mandatory Pre-Bid Inspection: Held April 29, 2026. 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.

Bid Due Date: May 20, 2026 (Date Change)

Contract 23-503

Title: Mechanical Building Systems Replacement and Upgrades, Coachman Family Center, 123 East Post Road, White Plains, NY.

Description: The work under this contract includes all of the labor, materials, and equipment necessary for the replacement of the building's water service system, backflow preventer system, HVAC relocation, minor electrical repairs, architectural and structural repairs, as well as associated work.

Bid Estimate Range: \$800,000 to \$1.1 million.

Mandatory Pre-Bid Inspection: Held April 21, 2026. 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: Jai Punnoose, 914-995-2542

Bid Due Date: May 20, 2026 (2nd Date Change)

Contract: 24-540

Title: Parking Structure Infrastructure Improvements, Norwood E. Jackson Correctional Center, Grasslands Campus, Valhalla, NY.

Description: The work under this contract consists of providing all necessary labor, material and equipment required for the rehabilitation and electrical infrastructure upgrade of the existing precast concrete parking structure located within the Department of Correction campus. Work under this contract shall include but not be limited to the following items: structural column and double T beam concrete repairs, repair and/or replacement of existing shear connectors, removal and replacement of existing caulked and expansion joints, structural epoxy injections, removal and replacement of the existing traffic wearing membrane, parking stalls striping, removal and replacement of surface drains and existing above ground drainage piping, installation of a new dry standpipe, removal and replacement of asphalt pavement for duct bank installation, removal and replacement of existing chain-link fencing, removal and replacement of existing deteriorated electrical components, conduits and light fixtures, installation of a new power duct bank feed, new communication infrastructure and electrical infrastructure to support new EV charging stations.

Bid Estimate Range: \$13 million to \$14 million.

Mandatory Pre-Bid Inspection: Held April 7, 2026. 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: Esther Rivas, 914-995-5584

Bid Due Date: May 27, 2026

Contract: 20-521

Title: Pumping Station Rehabilitation Program: Hastings, Dobbs Ferry, Main Street and Ludlow Street Pumping Stations, North Yonkers and South Yonkers Sanitary Sewer District, Villages of Hastings-on-Hudson and Dobbs Ferry, and City of Yonkers, NY.

Description: The work under this contract consists of providing all necessary labor, material and equipment required to rehabilitate the Hastings, Dobbs Ferry, Main Street and Ludlow Street Pumping Stations in the Villages of Hastings-on-Hudson and Dobbs Ferry and City of Yonkers, NY, including but not limited to miscellaneous demolition, major mechanical equipment replacement such as new bar screens, sewage pumps, piping and valves, gas and fire detection systems, new electrical and instrumentation equipment, new heating and ventilating equipment, all ancillary roofing and lighting systems as well as replacement of the station's emergency generators, if present, and flood mitigation measures as required to help protect the Pumping Stations. NOTE: The contractor is directed to the Special Notice regarding Project Labor Agreement (PLA).

Bid Estimate Range: \$21 million to \$22 million.

Mandatory Pre-Bid Inspection: Held, April 28, 2026. 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

Bid Due Date: May 27, 2026

Contract: 24-544

Title: Building Exterior and Roof Repair, Hutchinson Pumping Station, Hutchinson Valley Sanitary Sewer District, Mount Vernon, NY.

Description: The work under this contract consists of providing all necessary labor, material and equipment required to repair a leaking roof which is in bad shape. The work will also include fascia replacement, gutter and downspouts replacement along with the roof repair.

Bid Estimate Range: \$290,000 to \$350,000.

Mandatory Pre-Bid Inspection: Scheduled at 10:00 AM on May 13, 2026; meeting at the Hutchinson Pumping Station, 601 Garden Avenue, Mount Vernon, NY. MANDATORY attendance is required. Bids will be rejected from contractors not in attendance at this meeting, or those who fail to sign the attendance sheet.

Contact: John Coelho, 914-995-5144

Bid Due Date: June 3, 2026

Contract: 25-504

Title: Replacement of Tarrytown Forcemain (Phase II) and Rehabilitation of Route 119 Gravity Sewer, Tarrytown Pumping Station, Saw Mill Sewer District, Villages of Tarrytown and Elmsford, NY.

Description: The work under this contract consists of providing all necessary labor, material and equipment required for this project, which involves replacement of approximately 10,500 linear feet of 30" diameter force main with a new force main pipe. Depending on the chosen route, the approximate 1,300 linear foot section of 30" gravity sewer will either be replaced or rehabilitated. Replacement of the force-main includes replacement of all piping, valves and all other appurtenances along with relocation of existing utilities and all associated site work. The Tarrytown force main carries sewage approximately 2.75 miles from the Tarrytown Pumping Station in the Village of Tarrytown under pressure to a 0.25-mile gravity sewer section that connects to the Saw Mill Trunk Sewer in the Village of Elmsford. NOTE: The Contractor is directed to the Special Notice regarding Project Labor Agreement (PLA).

Bid Estimate Range: \$52 million to \$57 million.

Mandatory Pre-Bid Inspection: 11:00 AM, May 12, 2026; meeting at the Westchester County DPW Operations Building Conference Room, 35 Woods Road, Valhalla, NY. MANDATORY attendance is required. Bids will be rejected from contractors not in attendance at this meeting, or those who fail to sign the attendance sheet.

Contact: John Coelho, 914-995-5144

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



NEXT GEN LEADERS



Profiles of the Industry's New Generation

IGNACIO "IGGY" PULIDO

Age: 35

Summary: "As a senior associate and member of my employer's leadership team, I guide teams and coordinate complex technology and building systems to meet quality, schedule and budget goals across diverse projects nationwide. My primary goal is to deliver innovative, constructible and client-focused solutions across technology, electrical, mechanical, plumbing, fire alarm and architectural lighting disciplines."

Academic Accomplishments: Four-time recipient of the Louis G. Nappi Management & Labor College Scholarship Grants (2011-2014)

Current Employer & Job Title: PAE Engineers based in Los Angeles. Senior Associate

Education: Iggy graduated from The New York Institute of Technology with a Bachelor of Science degree in Architecture Technology. A native of New Rochelle, NY, Iggy graduated from New Rochelle High School.

What influenced your decision to pursue this career path: "I've always had an interest in technical drawings, which was influenced by my grade school teacher."

What are the biggest challenges in your work: "The biggest challenges I face are navigating diverse personalities and conflicting priorities, particularly when there isn't clear alignment around vision or values."

Words of wisdom for a young person entering your field: "Don't let fear of failure stop you from trying new things. Finding your path takes persistence, and not achieving something right away isn't failure. It's feedback. Sometimes it's an opportunity to improve, try a different approach, or even discover a direction you're more passionate about. Take a chance on yourself." He added, "I would also tell someone not to rush into college just for the sake of getting a degree. If you're not pursuing a specialized field that requires one, consider internships or hands-on experience first. Exploring different roles before committing can help you make a more informed decision. In the long run, real-world experience can give you clarity, confidence and often a competitive edge when you do enter the workforce."

Recent professional accomplishments thus far: "My greatest professional accomplishment has been building a design engineering team from the ground up. I took a risk creating the department, hiring and developing a team of 15-18 people, and built the processes that allowed us to deliver complex technology projects successfully across the country." He added, "What I'm most proud of isn't just the size of the team, but that we built something profitable, sustainable and respected. We earned repeat clients because of the quality of our work and the trust we built."

What are your professional goals: "Turning an idea into a high-performing team that created real impact is something I'm very proud of. Eventually, I want to run my own company. I enjoy building teams and creating something from the ground up, and I'd like to lead an organization that values hard work, integrity and continuous improvement."

Favorite interests or hobbies: "Outside of work, I practice Brazilian jiu-jitsu and strength training. I'm drawn to activities that challenge me physically and mentally, and I value the discipline and consistency they require."

Most memorable quote: "I don't have one specific quote, but I strongly believe that your word matters. If you say you're going to do something, follow through. Integrity builds trust, and trust builds everything else."

Relationship with the CIC/Louis G. Nappi and BCA/CAI Scholarship Programs: Iggy Pulido is the son of a member of Laborers' Local 60, which is a signatory union of the Construction Industry Council.



Written by George Drapeau III, Researched by Karen Zedda

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

The Louis G. Nappi Labor-Management Scholarship Program was named in honor of CIC Chairman Emeritus Louis G. Nappi. Since the inception of the Louis G. Nappi Construction Labor-Management Scholarship Fund in 2009, more than \$1.1 million has been awarded to 88 students sharing in a total of 190 grants over the years. This financial support has made possible tuition aid for those attending over 50 colleges and universities throughout the United States.

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About the BCA/CAI Scholarship

Since its inception, the BCA/CAI Scholarship Program has awarded 135 grants to 80 students at more than 40 colleges and universities throughout the U.S. In 2024, the associations awarded \$70,000 to lift the total BCA/CAI scholarship awards to more than \$609,000 since it began in 2009.

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