

CONSTRUCTION NEWS



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Weathering the Storm

A \$25-million NYSDOT flood mitigation project at Annsville Circle proved its value during the late July storms, preventing the flooding and road closures that plagued the corridor for decades. The innovative project has also earned multiple engineering honors. Story on Page 9.

Photo Credit: ECCO III ENTERPRISES

NYSDOT's Flood Mitigation Investments are Paying Off

By JOHN JORDAN
TARRYTOWN, NY—Major swaths of the Hudson Valley suffered significant damage from multiple heavy rainstorms in recent weeks, leaving road crews and contractors employed by the New York State Department of Transportation's Region 8 scrambling to make repairs and reopen flooded roads throughout the region. Particularly hard hit were sections of northern Columbia County, where some locations received nearly a foot of rain from

July 28 through July 30. Kinderhook, in Columbia County, recorded 11.47 inches of rain during that period, while rain gauges in the City of Beacon in Dutchess County registered more than 9 inches, according to the National Weather Service. CONSTRUCTION NEWS spoke with NYSDOT Region 8 Director Julianne Fuda, P.E., on July 30, after most of the storm had moved out of the region, to discuss NYSDOT's response and the need for additional flood mitigation invest-

ments as the Hudson Valley continues to experience infrastructure damage from recurring heavy rainfall events. Ms. Fuda had just returned to NYSDOT's Poughkeepsie office after touring storm ravaged sections of Columbia County. She noted that DOT crews and emergency contractor Paleen Construction of Somers, NY were repairing flash flood damage that temporarily closed a section of Route 9 in Fishkill, Dutchess County.

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Three Mega Projects in Hudson Valley Could Bring Nearly \$5B in New Investment and Jobs

By JOHN JORDAN
TOWN OF POUGHKEEPSIE, NY—Led by a projected \$2.5 billion expansion project here by IBM, three mega projects in various stages of approval in the Hudson Valley could, if current estimates hold, result in nearly \$5 billion in private investment and construction activity for the region's building trades. In addition to IBM, Walmart is before the Town of Wallkill Planning Board seeking approval for a 1.5 million square foot project that sources say could involve up to \$1.8 billion in private investment. Also

in Orange County, the controversial \$607-million Amazon fulfillment center project in the Town of Wawayanda is at a crossroads and, at press time, could either move forward or be abandoned because of ongoing legal challenges and disputed incentives granted for the project. Here are updates on the progress of the three mega projects. **IBM Quantum Facility 2455 South Road, Town of Poughkeepsie Project Value: \$2.51 billion** IBM, headquartered in Armonk, is seeking approval from the Town of Pough-

keepsie for its Quantum Facility project, which is among the largest private investment projects in the history of Dutchess County. In addition to its local approvals, IBM filed an application with the Dutchess County Industrial Development Agency on June 25 seeking \$104,181,888 in sales tax exemptions for its advanced manufacturing project. The project involves renovations to the existing 44,000 square foot building and approximately 300,000 square feet of new construction. The facility will support IBM's development, integration, testing and delivery of fault tolerant quantum computing systems. Robin D. Mack, executive director of the Dutchess County IDA, said that, at press time, IBM was negotiating with the Town of Poughkeepsie regarding its request for a 30-year PILOT agreement. Mack said the \$2.5 billion project is

the largest ever considered by the Dutchess County IDA and that the requested sales tax exemption of more than \$104 million is also the largest in the agency's history. Todd Diorio, president of the Hudson Valley Building & Construction Trades Council, said the project will be performed primarily by union trades, although there is no Project Labor Agreement. If incentives are approved by the Dutchess County IDA, the project will be required to employ 80% local labor. IBM currently employs approximately 2,300 people at the site, including full-time employees, part-time employees and interns, Mack noted. IBM stated in documents filed with the IDA that the project would create 250 construction jobs. In addition to retaining existing jobs at the site, IBM projects the facility will create approximately 200

new full-time equivalent positions. According to an analysis of the project recently released by the IDA, construction costs are expected to total approximately \$900 million. Some preliminary work at the site has begun. CIC member Shawn's Lawns Inc. of Stamford, CT, has secured the site work, concrete foundation and earthwork package for the project. Please Turn to Page 10

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Pattern Study: Nearly 43% of Hudson Valley Households Face Serious Financial Struggles

By JOHN JORDAN

NEWBURGH, NY-Regional research organization Hudson Valley Pattern for Progress released a sobering report on Aug. 6 chronicling the struggles many households in the Hudson Valley face in meeting their basic needs in today's unsettled economy.

Pattern released its 2026 United for ALICE (Asset Limited, Income Constrained, Employed) data, reflecting 2024 household conditions, for the nine-county Hudson Valley region it serves: Columbia, Dutchess, Greene, Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester counties. The report showed that despite pockets of affluence and economic growth, more working families are finding it difficult to make ends meet as they face rising housing and childcare costs.

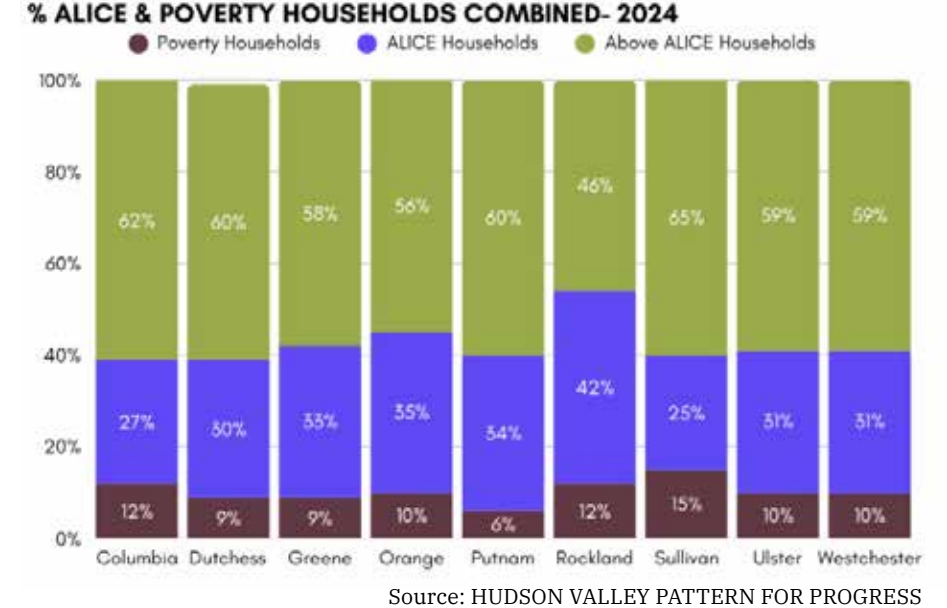
The report, authored by Pattern's Center for Housing Solutions & Community Initiatives, measures the ALICE Threshold, which reflects the minimum income a household needs to live and work in today's economy. Households below the ALICE Threshold do not earn enough income to afford their basic needs.

Another key metric is the ALICE Household Survival Budget. This calculates the minimum cost of

basic living and includes housing, childcare, food, transportation, health care, technology, taxes, and a 10% miscellaneous category. Households with incomes below the Household Survival Budget for their household type and county fall below the ALICE Threshold, including both households living in poverty and ALICE households. The Household Survival Budget for a family of two adults with two children includes one infant and one preschooler.

The Pattern report found that 42.8% of households in the nine-county region fall below the ALICE Threshold, equating to 398,202 Hudson Valley households struggling to afford essential living costs. This includes 95,500 households living below the federal poverty level and 302,702 ALICE households that earn above the poverty level but remain unable to cover basic household expenses and may be ineligible for assistance. The continued growth of ALICE households affects labor force participation, employee retention, housing markets, economic competitiveness, and the region's long-term prosperity, the report states.

Alexandra S. Obremski, President & CEO of Hudson Valley Pattern for



Progress, said its ALICE report and the soon to be released Out of Reach report “help us better understand what families and workers across the Hudson Valley are experiencing every day. ALICE shows how many households earn above the federal poverty level but still cannot afford their basic needs, while Out of Reach demonstrates the significant role housing costs play in that struggle. Looking at these reports together paints a clearer picture of a region where many people are working hard and contributing to their communities but still cannot keep pace with the cost of living.”

She added, “The data also remind us that housing affordability is connected to nearly every challenge facing our region, including workforce retention, economic competitiveness, and the long-term stability of our communities.”

The 19 page report breaks down the metrics for each county and identifies a number of key trends, including that the “affordability crisis is not just a poverty issue, it’s a workforce issue. The fastest growing segment of financially struggling households consists of

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Guest Viewpoint

250 Transportation Projects that Helped Build on the American Success Story

BY BY RICH JULIANO AND BETH MCGINN

As America celebrated its 250th anniversary this summer, communities across the country reflected on the achievements that shaped our nation. Most of the attention focused on historic moments and influential figures. But there is one critical aspect of American achievement running through nearly every chapter of our nation's story: transportation. The roads that carried settlers westward, railroads and ports that opened new markets, and the highways, bridges, airports, and transit systems that connect communities, have all played a critical role in shaping the America we know today. Since 1776, transportation investment has helped connect 50 states across 3,000 miles and fueled

economic growth, mobility, and opportunity. "America's success story in its first 250 years is inextricably tied to how we move," said ARTBA President & CEO Dave Bauer in releasing the association's list. "While thousands of transportation projects from coast to coast have contributed to the tapestry of the American experience, the projects we are highlighting teach a timeless lesson that strategic infrastructure investment pays dividends for many decades." Anticipating this milestone in early July, the American Road & Transportation Builders Association (ARTBA) - CIC's longtime national affiliate - unveiled a collection of 250 transportation projects that tell America's story.

It includes projects across all 50 states and D.C. From colonial roads to the Golden Gate Bridge, the infrastructure improvements selected transformed a nation of 13 colonies into a global economic powerhouse. The list, available at www.artba.org/250projects, was developed via a nationwide survey of transportation design and construction firms, state transportation departments, state construction associations, university professors, and construction industry journalists. Projects were selected based on their long-term impact on mobility, safety, economic growth, and overall quality of life. Among the 20 projects across New York State that made the list, CIC



Rich Juliano



Beth McGinn

achievements, it also reminds us of how our industry can continue impacting the nation's story. Today's transportation network faces growing safety and freight demands, increasing travel needs, and 21st century mobility challenges. Robust and strategic investment is needed to ensure our multi-mod-

later this year. A five-year bill emerged from a House committee in May with overwhelming bipartisan support, and the Senate is expected to develop its own measure. At a time when many issues divide Capitol Hill, transportation remains an area for common ground, and should drive

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PUBLISHER
John T. Cooney, Jr.

EXECUTIVE EDITOR
Sharon Regan Masciovecchio

MANAGING EDITOR
John Jordan

EDITOR
Ryan Capalbo

EXECUTIVE EDITOR EMERITUS
George Drapeau, III

ADVERTISING DIRECTOR
Sharon Regan Masciovecchio

FOUNDER AND PUBLISHER EMERITUS
Ross J. Pepe

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BUSINESS & EDITORIAL OFFICE
Construction Industry Council
of Westchester & Hudson Valley, Inc.
220 White Plains Road, Suite 170
Tarrytown, NY 10591
(914) 631-6070
www.cicbca.org
email - info@cicnys.org



“America’s success story in its first 250 years is inextricably tied to how we move,” said ARTBA President & CEO Dave Bauer in releasing the association’s list. “While thousands of transportation projects from coast to coast have contributed to the tapestry of the American experience, the projects we are highlighting teach a timeless lesson that strategic infrastructure investment pays dividends for many decades.”

members will recognize three as especially critical to your region's rich history and multi-generational growth:

- **Tappan Zee Bridge** – The original span, crossing the Hudson River at one of its widest points and operational from 1955 to 2017, drove the Valley's economic expansion by connecting Rockland and Westchester Counties.
- **New York State Thruway** – Opening in 1954, the 500+ mile highway links communities of all sizes across the state and featured one of the nation's earliest long-distance toll road systems.
- **Erie Canal** – Built from 1817 to 1825, it connected the Great Lakes to the Atlantic via the Hudson River, transforming U.S. trade and establishing a major national commercial route.

While America's 250th anniversary provides an opportunity to celebrate past

al network keeps pace. Previous generations had the vision and commitment to invest in the future, enabling the forebears of today's transportation construction professionals to deliver assets that endure to this day. Now, ARTBA, CIC and its allies are pushing Congress to provide the resources needed for America's next class of transformative projects. Funding for the federal surface transportation programs is set to expire

timely action. As President Trump and Congress consider America's mobility needs at the dawn of its next 250 years, the lesson is clear: strong federal investment in transportation infrastructure delivers benefits that last for generations. ■ **About the authors:** Rich Juliano, IOM, CAE is General Counsel; Managing Director, Contractors and P3 Divisions and Beth McGinn is vice president of communications at ARTBA.



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Flood Mitigation Continued from P. 1

She said crews were working around the clock and expected remediation efforts to continue for several weeks. “Columbia County really got hit the hardest with the ongoing rain we experienced over the last few days,” she said. Her tour included several closed roadways and the work being undertaken to reopen them.

Discussing the damage along Route 9 in Fishkill, she said, “We have our emergency contractor on site, and they are working as fast as they can to get some lanes open. I think we are going to be looking at alternating traffic starting tomorrow so that we can keep traffic flowing while work on the ditches, drainage, and everything else that needs to be done continues.”

Later that evening, NYSDOT announced that Route 9 had reopened.

The severity of the multi day storm attracted national attention, and Region 8 Director Fuda joined Region 1 (Albany) Director Mike Arthur in discussing storm recovery efforts with The Weather Channel.

Ms. Fuda said that after the rain ended, NYSDOT crews immediately began inspections and safety as-

sessments to reopen impacted roadways as quickly as possible. Depending on the extent of the damage, repairs can take hours, days, or even weeks, she said.

Last November, Ms. Fuda became Regional Director for NYSDOT’s Region 8 after serving as Director of the Structures Design Bureau for NYSDOT in Albany.

Since taking over Region 8, she has observed an increase in severe storm activity.

“I think we are definitely seeing an increase in the intensity and duration of these types of storm events, especially with the rain we experienced over the last few days in northern Columbia County. In some areas, they received upwards of 12 inches of rain in 24 hours, which is unheard of.”

She continued, “We really are pushing the limits of our infrastructure.”

While many roads and bridges in the Hudson Valley have been designed to modern standards that help mitigate damage from major storms, much of the region’s infrastructure is aging and was not built to withstand storms of this intensity or duration.

“That is a challenge, and



On July 30, NYSDOT staff were on site on Route 9 in Fishkill surveying the damage, evaluating repairs, and planning the safest, fastest path to restoring the roadway.
Photo Credit: NYSDOT

completing projects that improve the safety and resiliency of our infrastructure is a major focus of our commissioner and governor so that we can preserve both our infrastructure and the beautiful Hudson Valley,” Director Fuda said.

As NYSDOT develops its next five year capital plan, sustainability and flood resiliency remain key priorities, she noted.

Region 8 Director Fuda

pointed to one recently completed project as an example of a successful flood mitigation effort: the \$25-million project to improve safety and reduce flooding along U.S. Route 6 and State Route 202 at the Annsville Circle in Westchester County.

The project, completed by ECCO III Enterprises Inc. of Yonkers, received honors from AASHTO (the American Association of State Highway and Transporta-

tion Officials) and the American Society of Civil Engineers Metropolitan Section. Before the improvements, the roadway adjacent to Camp Smith and leading to the Bear Mountain Bridge flooded 10 to 15 times each year.

Ms. Fuda noted that despite the recent heavy rainfall, the Annsville Circle remained flood free and open throughout the storm.

See story on page 9. ■



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Attorney's Column

Appellate Court Declines to Dismiss Claims Despite Writing Requirement in Contract

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

One of the most common provisions in a construction contract is the requirement that the contract cannot be modified except in writing. This issue usually, though not always, arises in the context of disputes over unsigned change orders where the owner or upstream contractor did not and similar conversations are conveniently forgotten, and contractual formalities suddenly become paramount to the party resisting the change order. However, in the recent case of *Tekton Builders, LLC v. 1232 Southern Boulevard LLC*, an appellate court reminded us that another during the project, can amount to a waiver of contractual requirements, including those requiring written notice.

Background

In March 2015, 1232 Southern Boulevard LLC, the entity that owns the property housing the Children's Aid College Prep School,

When a dispute arises, if the parties ignored the specifics of the contract at the time, they cannot realistically expect a court to belatedly enforce the specifics of the contract simply because it would be more expedient for one of the parties.

approve the work before it was performed. When these disputes arise, all of the "just get it done and we will do the paperwork later," even when a contract contains a modification only in writing provision, the parties' course of conduct, or how they deal with one entered into an agreement with Tekton Builders for Tekton to serve as construction manager for Children's Aid's charter school project.



Thomas Welby, P.E., Esq.



Gregory J. Spaun, Esq.

The project was scheduled for completion before the 2016 to 2017 school year, but it experienced numerous delays from the outset. These delays were thoroughly discussed by all relevant parties during jobsite meetings, through email correspondence, and in other project documentation.

Ultimately, in January 2017, Tekton was terminated and commenced an action to foreclose its mechanic's lien and recover its costs, including extended general conditions and work performed after the original completion date.

After discovery, Children's Aid moved for summary judgment dismissing Tekton's delay and change order claims, arguing that Tekton failed to comply with the contract's notice requirements and therefore waived its right to recover those costs. Children's Aid also sought summary judgment discharging Tekton's mechanic's lien, alleging that it was willfully exaggerated.

In opposition, Tekton argued that Children's Aid had been kept fully informed of the nature and extent of the delays through meetings, email correspondence, proposed change orders requesting extensions of time and associated costs, and stop work orders issued by the city. Accordingly, Tekton maintained that Children's Aid could not credibly claim prejudice resulting from the failure to reduce information already known to all parties into the contractually required written form.

Tekton further argued that, to the extent the contract required formal writ-

ten notice, Children's Aid had waived that requirement through its own conduct by failing to respond promptly to change order requests while simultaneously directing additional work despite the lack of formal approvals.

Decision

The motion court denied the portion of Children's Aid's motion seeking summary judgment based upon Tekton's alleged failure to satisfy the written notice condition precedent. The court held that issues of fact existed as to whether Children's Aid had waived the contractual notice requirement through its course of conduct and determined that those issues would have to be resolved at trial.

The motion court did, however, grant Children's Aid summary judgment discharging Tekton's mechanic's lien, finding that it had been willfully exaggerated. The amount of damages sustained by Children's Aid as a result would be determined at trial.

Children's Aid appealed the denial of summary judgment on its written notice defense but fared no better before the appellate court. In affirming the lower court's order, the appellate court held that "even when a contract contains a nonwaiver clause and a provision stating that it cannot be modified except by a writing, it can still be effectively modified by actual performance and by the parties' course of conduct." The court concluded that factual issues remained regarding whether the parties had waived the

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Expanded Work Zone Safety Measures Aim to Protect State Highway Workers

By RYAN CAPALBO

ALBANY— The New York State Department of Transportation announced on July 20 an expansion of the Automated Work Zone Speed Enforcement Program (AWZSE), a move aimed at improving safety for highway workers and motorists alike.

Working on highways can be extremely hazardous, and the dangers faced by highway workers are often overlooked. Keeping work zones safe is not only the responsibility of those working on the jobsite, but also of motorists, who must slow down and use caution when approaching construction zones. Excessive speeding on New York

State highways and the Thruway continues to create dangerous conditions for highway workers. Since taking office, Gov. Kathy Hochul has prioritized improving work zone safety and making New York’s roadways safer.

The program was established through legislation signed into law by Gov. Hochul in 2021, authorizing a five-year pilot program jointly administered by NYS-DOT and the New York State Thruway Authority to slow motorists in work zones and improve highway safety. In 2025, the program was extended through 2031. Its goals are to reduce speed,



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improve driver behavior, save the lives of highway workers and motorists, complement existing enforcements by the New York State Police and promote safer work zones.

“Governor Kathy Hochul is laser focused on public safety and that means transportation safety. She has been a staunch advocate for the Automated Work Zone Speed Enforcement Program since signing it into law in 2021. We implemented the program and it has already made a significant difference in slowing drivers down by 30% in work zones with a speed camera, and I thank Governor Hochul for her determination to expand this worthy program, which is enhancing safety for all New Yorkers,” New York State Department of Transportation Commissioner Marie Therese Dominguez said in a news release. “With the highway construction season in full swing, our maintenance crews and contractors are out there every day improving New York’s roads and bridges, and it’s imperative that we do everything we can to keep them safe.”

Previously limited to controlled access highways, provisions included in this year’s State Budget now allow the AWZSE program to be used on nearly any roadway under the jurisdiction of the New York State Department of Transportation. The expansion follows a sharp increase in work zone crashes in 2025 after three consecutive years of declining incidents.

According to NYSDOT, there were 366 work zone crashes on state owned roads in 2025, resulting in 58 injuries and two fatalities. By comparison, there were 156

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NYSDOT's Annsville Circle Project Earns Recognition From Multiple Industry Groups

By JOHN JORDAN

NEW YORK—Motorists, businesses and members of the New York Army National Guard at Camp Smith in Cortlandt Manor along U.S. Route 6/State Route 202 must have breathed a sigh of relief by not having to wade through floodwaters or cope with road closures after the heavy rainstorms that swept through the region from July 28 to July 30.

For decades, a half mile section of U.S. Route 6/State Route 202 at Annsville Circle flooded 10 to 15 times a year after heavy rains or during high tides. However, a \$25 million NYSDOT flood mitigation project, performed by ECCO III Enterprises Inc. of Yonkers and completed in February, has changed that.

The flood mitigation project has earned NYSDOT and its project team accolades from the American Society of Civil Engineers Metropolitan Section and AASHTO (the American Association of State Highway and Transportation Officials).

Using lightweight fill material manufactured from recycled glass, the project elevat-

ed the highway at Annsville Circle by four feet and raised other sections of the roadway in the vicinity by as much as seven feet. It was one of the first NYSDOT projects to use foamed glass fill, an environmentally friendly, lightweight material. Use of the product also helped shorten the construction schedule by as much as one year, NYSDOT officials said.

Geosynthetic reinforced soil technology, which utilizes fabrics, grids and meshes to strengthen and stabilize soil, was also used to accelerate construction and minimize lane closures and other traffic impacts.

Additional improvements include LED street lighting near the roundabout to enhance visibility, pedestrian crosswalks and a shared use path connecting Paddlesports Park with the Jan Peeck Bridge over Annsville Creek.

In the area, ECCO III Enterprises completed an emergency bridge project in 2024 adjacent to Fort Smith and a future project is expected to be let in 2027 that will raise the elevation of the last

section of U.S. Route 6/State Route 202 adjacent to Camp Smith. NYSDOT Regional Director Julianne Fuda, P.E., said that the design of the bridge replacement allowed for minimal work to be done to the bridge in connection with the future road elevation project.

When the Annsville Circle project was completed, New York State Department of Transportation Commissioner Marie Therese Dominguez said, "We have seen the real impacts of our changing climate across the state of New York, which is why New York State DOT is using every tool in our arsenal to harden our infrastructure and make it more resilient to withstand the extreme weather we know we will continue to face in the coming decades. With this project at Annsville Circle, DOT utilized its engineering prowess and state of the art materials to elevate this important highway and give Hudson Valley travelers a road they can depend on in all kinds of weather."

On June 17, members of the Annsville Circle project team, including NYSDOT



An aerial view of the Annsville Circle roundabout in Cortlandt Manor, NY.

Region 8 Director Fuda, traveled to Queens to attend the ASCE Metropolitan Section's 59th Annual Awards Dinner. The Annsville Circle project received ASCE's 2026 Environmental and Water Resources Project of the Year Award. Along with NYSDOT, other members of the project team honored by ASCE included ECCO III Enterprises, contractor; North Country Garden Center, contractor; Creighton Manning, designer; Azar Design Co. Inc., designer; and HDR Inc., construction inspector.

Regional Director Fuda

called the ASCE award "a great accomplishment and a great way to celebrate not only our DOT engineering and construction staff, but also the consultants and contractors who built the project. It's nice to be recognized with an award among our peers in the industry that really showcases a successful project in the Hudson Valley."

The Annsville Circle project has also received a regional award from AASHTO as part of its America's Transportation Awards competition for Best Use of Technology and Innovation. ■

Pattern Study continued from P. 3

working families whose earnings are not keeping pace with essential costs," the report contends.

Pattern also cited housing and childcare as the region's largest cost drivers, placing the greatest financial pressure on working families.

There is significant variation across the region in the degree of financial hardship. Putnam, Rockland, and Westchester counties face affordability challenges that differ from those in the more rural counties of Columbia, Greene, and Sullivan.

"The lower Hudson Valley counties of Putnam, Rockland, and Westchester all require a household income of approximately \$140,000 for a family with two young children to meet basic needs. Even these counties, which have the highest median household incomes in the region, have 40% to 54% of households below the ALICE Threshold," the report stated.

Rockland County reports the region's highest level of financial hardship, with 54% of households below the ALICE Threshold de-

spite having the third highest median household income in the region.

The rural counties of Columbia, Greene, and Sullivan also continue to have a significant number of households experiencing financial hardship. The report further identifies young adults and seniors as the demographic groups facing the greatest financial insecurity and falling below the ALICE Threshold.

The report outlines five strategies to help address the financial hardships facing the Hudson Valley's working families: expanding the supply and diversity of housing, treating childcare as an essential component of economic infrastructure, strengthening workforce support measures, better targeting assistance, and coordinating regional solutions while responding to local differences.

For a copy of the full report, visit the Pattern for Progress website: <https://www.pattern-for-progress.org/wp-content/uploads/2026/08/ALICE-in-the-Hudson-Valley-2024-Data-Released-2026.pdf> ■

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Mega Projects Continued from P. 1

Before groundbreaking can begin, the project requires municipal approvals, finalization of the PILOT agreement and approval of incentives by the Dutchess County IDA. The next meeting of the Dutchess County IDA is scheduled for Aug. 26, when the board could approve the project for further review. A public hearing on the proposed incentives will not be scheduled until IBM and the Town of Poughkeepsie reach a final agreement on the PILOT. That would be followed by final consideration of the requested incentives.

IBM stated in its application that it hoped to begin construction in September 2026. Ms. Mack said the project is unlikely to meet that timeline.

Walmart Warehouse/Distribution Facility
Route 17K and Stone School House Road
Town of Wallkill, NY
Project Value: \$1.8 billion (industry estimate)

While firm development costs have not yet been filed with the Town of Wallkill, sources in the development community tell CONSTRUCTION NEWS that private investment in the proposed warehouse/distribution facility could approach \$1.8 billion.

As proposed, the facility would total 1.5 million square feet. The project also calls for a gated parking area with an emergency access con-



A rendering of the IBM Quantum Facility project.

nection and includes 1,215 employee parking spaces and 1,050 truck parking spaces. The facility would be built on a 9.3-acre parcel owned by Walmart, which also owns an adjoining 127-acre parcel.

Other components of the project include a generator and battery storage system to support the facility's automation, a wastewater treatment plant and water storage tanks for fire protection.

According to documents filed with the Town of Wallkill in late July, Phase One includes construction of the primary facility and associated infrastructure. Phase Two includes construction of a future truck maintenance garage. Walmart anticipates beginning Phase One construction in September 2027 and

Phase Two by December 2031.

Representatives of Walmart were scheduled to appear before the Town of Wallkill Planning Board on Aug. 5. At press time, Walmart had not filed an application for incentives with either the Town of Wallkill Industrial Development Agency or the Orange County Industrial Development Agency.

Amazon Fulfillment Center
22 McBride Road
Slate Hill, NY
Project Value: \$607 million

The project being developed by Scannell Properties for Amazon calls for construction of a 3.2 million square foot fulfillment center. The development has been supported by the Hudson Valley building trades and is expected to be constructed predominantly by union labor.

However, the proposal has sparked significant litigation involving both its municipal approvals and incentives granted by the Orange County Industrial Development Agency.

At press time, while the developer had won a court ruling upholding the required height variance and site plan approval, a judge recently upheld the Orange County IDA monitor's November 2025 veto of approximately \$80 million in incentives previously approved by the Orange County IDA Board.

At press time, Scannell Properties and Amazon had not announced whether they would proceed with the project or submit a new incentives application to the Orange County Industrial Development Agency. ■



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18th Annual Louis G. Nappi Construction Labor Management Scholarships Awarded to 15 Students

TARRYTOWN—Fifteen college and graduate students pursuing degrees in engineering, architecture, mathematics and the applied sciences were recognized in July as recipients of the prestigious Louis G. Nappi Construction Labor Management Scholarship. The students each received scholarships during a luncheon at Casaletto Ristorante in Elmsford, where a total of \$112,500 was presented.

Established in 2009 by the late Louis G. Nappi and then Construction Industry Council President Ross J. Pepe, the scholarship fund reflects Mr. Nappi's belief that

engineering, mathematics and science are essential to restoring America's leadership in transportation and infrastructure construction. Celebrating its 18th year, the program has awarded more than \$1,282,000 through 266 scholarships to approximately 110 students attending more than 75 colleges and universities throughout the United States. Recipients primarily reside in the Lower and Mid Hudson Valley and are related to employees of CIC member companies or affiliated unions. Participating labor organizations include Laborers International Union of North Amer-

ica Local 60, the International Union of Operating Engineers Local 137 and the International Brotherhood of Teamsters Local 456.

During the luncheon, CIC Board Member William Mascetta, chairman of the Scholarship Committee, congratulated this year's recipients and thanked committee members representing organized labor, union contractors and the CIC staff for their efforts in administering and promoting the scholarship program.

"This year's recipients once again exemplified the skills and achievements the Nappi Scholarship Program

proudly has supported since its inception in 2009," said Mr. Mascetta. "Our founder, Lou Nappi's, mission certainly is being accomplished with more than \$1.2 million in scholarships awarded over the past 18 years. Thanks to the entire committee and CIC staff for their continued commitment to upholding the standard and success of the program. Our congratulations and thanks also go to the parents of all our scholarship recipients."

John T. Cooney Jr., executive director of the Construction Industry Council of Westchester & Hudson Valley, said the scholarship

fund continues to serve as a lasting tribute to Mr. Nappi, who served as CIC chairman from 1986 through 1991.

"Lou's commitment to engineering and science lives on through these scholarships and the students who have benefited from them," Mr. Cooney said. "Many former recipients have graduated and entered the workforce. Lou believed that providing students with the financial resources to pursue higher education and advanced degrees would help America's construction and building industries

Please Turn to Page 20



Carter Bucci



Jack Fiskaa



Thomas Fiskaa



Kaitlin Furu



Bryan Godoy



Chris Gonzalez



Tristan Keefe



Alexis LeBlanc



Abigail Meinel



Max Messina



Diego Monroy



Luca Piazza



Val Valdovinos



Jonatan Vargas



Hailey Weber

2026 Louis G. Nappi Management & Labor Scholarship Winners:

Carter Bucci, of Ardsley, NY, is a college freshman at Hobart and William Smith Colleges, majoring in Engineering and Mathematics. Carter's grandfather, George "Rusty" Meinel, is a member of Bay Crane and Operating Engineers Local 137.

Jack Fiskaa, of Thornwood, NY, is a college sophomore at the University of Connecticut, majoring in Electrical Engineering. Jack's grandfather, Francisco A. Oricchio, is a member of Laborers Local 60.

Thomas Fiskaa, of Thornwood, NY, is a college sophomore at Thomas Jefferson University, majoring in Architecture. Thomas's grandfather, Francisco A. Oricchio, is a member of Laborers Local 60.

Kaitlin Furu, of Carmel, NY, is a college sophomore at Binghamton University, majoring in Industrial and Systems Engineering. Kaitlin is the daughter of Carl Furu, a member of Teamsters Local 456.

Bryan Godoy, of New Rochelle, NY, is a college sophomore at Western New England University, majoring in Mechanical Engineering. Bryan is the son of Enrique Godoy, a member of Laborers Local 60.

Christopher Gonzalez, of Port Chester, NY, is a college junior at North Carolina State University, majoring in Electrical Engineering. Christopher is the son of Yesica Molina, who works for Riggs Distler.

Tristan Keefe, of Westport,

CT, is a college junior at the University of Mississippi, majoring in Civil Engineering. Tristan is the son of Matthew Keefe, who works for Halmar International.

Alexis LeBlanc, of Mahopac, NY, is a college junior at the University of Rhode Island, majoring in Mechanical Engineering. Alexis is the daughter of Joseph LeBlanc, a member of Operating Engineers Local 137.

Max Messina, of Purdys, NY, is a college senior at Lehigh University, majoring in Industrial and Systems Engineering. Max is the son of Mark Messina, who works for Ben Ciccone, Inc.

Abigail Meinel, of Bedford Hills, NY, is a college fresh-

man at Texas Christian University, majoring in Engineering. Abigail is the daughter of James Meinel, who works for Bay Crane and Operating Engineers Local 137.

Diego Monroy, of Westbury, NY, is a college sophomore at Rensselaer Polytechnic Institute, majoring in Biomedical Engineering. Diego is the son of William Monroy, a member of Laborers Local 60.

Luca Piazza, of Valhalla, NY, is a college freshman at High Point University, majoring in Civil Engineering. Luca is the son of John Piazza, president of Piazza, Inc., and a member of Local 11 and Local 235.

Valeriano Valdovinos, of New Rochelle, NY, is a college sophomore at the University

of Hartford, majoring in Aerospace Engineering. Valeriano is the son of Valeriano Valdovinos, a member of Laborers Local 60.

Jonatan Vargas, of New Fairfield, CT, is a college senior at Manhattan University, majoring in Computer Information Systems. Jonatan is the son of Jesus Noel Vargas, who works for ELQ Industries and is a member of Laborers Local 60.

Hailey Weber, of Southbury, CT, is a college senior at the University of Connecticut, double majoring in Civil Engineering and Environmental Engineering. Hailey is the daughter of James Weber, a member of Operating Engineers Local 137. ■

Albany Update

Thruway Authority Launches ‘They Trust You’ Campaign to Promote State’s Move Over Law

ALBANY—The New York State Thruway Authority and the Governor’s Traffic Safety Committee announced on Aug. 3 the launch of a statewide public service announcement campaign aimed at educating motorists about New York’s Move Over Law and the dangers of distracted driving.

Titled “They Trust You,” the campaign highlights the responsibility every driver shares to protect highway workers, first responders, tow truck operators and others who work on New York’s roadways. Funded through a \$250,000 GTSC Highway Safety Grant, the campaign will run statewide through the end of September on television, streaming services, social media and various digital platforms. Public service announcements will appear in both English and Spanish.

“The men and women who maintain our highways and respond to emergencies place their trust in every passing driver,” Thruway Authority Executive Director Frank G. Hoare, Esq., said. “This campaign delivers a simple but powerful message: slow down, move over and stay focused. A moment of distraction

can have life changing consequences. I want to thank Governor Hochul and our partners at the Governor’s Traffic Safety Committee for their support of this important initiative, which reminds drivers that behind every work zone, maintenance vehicle and roadside response is a person counting on them to make safe, responsible decisions.”

The campaign comes amid an increase in Move Over Law violations and roadway incidents involving highway workers. In 2024, two Thruway Authority maintenance employees were killed and another was critically injured in separate incidents involving motorists who failed to move over. In 2025, there were 228 crashes resulting in 28 injuries in Thruway work zones, the highest number since 2020.

Under New York State’s Move Over Law, motorists are required to slow down and move over when approaching any stopped vehicle, including emergency vehicles, highway maintenance vehicles, tow trucks and other vehicles displaying emergency or hazard lights, when it is safe to do so. In 2024, Governor Hochul signed legislation expanding

the Move Over Law to include all stopped vehicles.

The new public service announcement features Thruway Authority employees and underscores the human impact of unsafe driving while encouraging motorists to eliminate distractions, remain alert and follow the law whenever they encounter vehicles stopped along the roadway.

Christian Jackstadt, acting commissioner of the New York State Department of Motor Vehicles and chair of the Governor’s Traffic Safety Committee, said, “Governor Hochul has made it a priority to protect those New Yorkers who maintain our highways to ensure they make it home to their families and loved ones. This campaign sends a vitally important message, and the Governor’s Traffic Safety Committee is proud to support our safety partners at the Thruway Authority. Our road crews have lost their colleagues to avoidable work zone crashes, so please slow down, obey all directives, avoid distractions and let everyone get home safely at the end of the day.”

New York State Police Superintendent Steven G.



James said, “The theme ‘They Trust You’ is a simple yet effective reminder that the women and men who work on our roadways rely on motorists to make smart choices when traveling through work zones or encountering emergency response situations. Those choices are clear: slow down, obey the posted work zone speed limit, stay alert, put the phone down and move over. These choices are not optional. They are the law. The New York State Police is committed to enforcing the law and holding accountable those who disobey work zone speed limits, drive distracted or fail to obey the Move Over Law. We will continue safeguarding workers, emergency personnel and motorists from dangerous driving.”

The campaign targets drivers of all ages, with particular emphasis on younger motorists, who are statistically more likely to engage in distracted driving behaviors such as texting, looking at their cell phones, changing the radio station, or eating and drinking while driving. In addition to the public service announcement, educational materials will be distributed through Thruway service areas and partner organizations throughout the state.

The “They Trust You” campaign supports ongoing efforts by the Thruway Authority, the Governor’s Traffic Safety Committee, New York State Police Troop T and other transportation agencies to improve compliance with the Move Over Law and reduce preventable crashes and fatalities. ■

State Increases Marina Grant Funding To Protect Waterways from Pollution

ALBANY—New York State officials announced recently increased grants through New York’s Clean Vessel Assistance Program. The additional funding will help marinas and municipalities install and upgrade boat sewage pump out stations to reduce pollution and protect water quality that supports recreation, tourism, fisheries and coastal ecosystems.

Available funding has increased to as much as \$80,000 for pump out boats and \$40,000 for stationary facilities and upgrades, along with continued support for facility operations, maintenance and public education.

Pump out stations may be small pieces of infrastructure, but they have an outsized impact on water quality by giving boaters a simple,

convenient way to dispose of onboard sewage. Most of New York State’s coastal waters and connecting waterways are No Discharge Zones, where it is illegal to discharge treated or untreated sewage from boats.

The New York State Environmental Facilities Corporation has awarded \$14 million to projects across New York since the program’s inception, supporting one of the nation’s most extensive recreational boating pump out networks. Boaters can locate facilities using the corporation’s online map to find nearby services and responsibly dispose of onboard waste.

The announcement was made Aug. 4 at Tanner Park Marina in the Town of Babylon, where the Environmen-

tal Facilities Corporation has provided \$136,000 for pump out operations at the town’s marinas.

Increased awards will help marinas continue to install new pump out stations, modernize aging equipment, purchase pump out boats and maintain existing facilities. Marina owners, municipalities and eligible nonprofit organizations are encouraged to apply. Applications are accepted on a rolling basis. Visit the Environmental Facilities Corporation website for eligibility requirements, application materials and the statewide facility map.

The Clean Vessel Assistance Program is funded by the U.S. Fish and Wildlife Service through the Sport Fish Restoration and Boating Trust Fund, which is sup-



Increased awards will help marinas continue to install new pump out stations, modernize aging equipment, purchase pump out boats and maintain existing facilities.

ported by purchases of fishing equipment and motorboat fuel.

New York State continues to increase its historic investment in water infrastructure. The 2027 budget announced by Governor Hochul includes a \$3.75 billion water infrastructure investment plan, bringing the state’s total

clean water investment to \$10 billion since 2017. The funding will help communities upgrade sewer systems, replace failing septic systems, modernize drinking water and wastewater infrastructure, address emerging contaminants, replace lead service lines and improve resilience to flooding. ■

Westchester Launches Affordable Housing Predevelopment Revolving Loan Fund

WHITE PLAINS, NY— Westchester County is expanding its commitment to affordable housing by launching the Westchester County Affordable Housing Predevelopment Revolving Loan Fund, a new initiative designed to help affordable housing projects move from concept to construction.

Administered by Community Capital New York (CCNY), the fund will provide flexible, short term financing and technical assistance to developers, nonprofit organizations, faith based institutions and Minority and Women Owned Business Enterprise (MWBE) developers working to create and preserve affordable housing throughout Westchester County.

The revolving loan fund addresses one of the greatest barriers to affordable housing development: securing financing for early planning expenses before projects qualify for larger public or private investments. Loans of up to \$50,000 will be available for eligible predevelopment costs,

including feasibility studies, architectural and engineering services, environmental assessments, legal expenses, permitting and project planning. As loans are repaid, the funds will be reinvested to support future affordable housing developments, creating a sustainable financing resource for communities across Westchester County.

Westchester County Executive Ken Jenkins said when the fund was announced on July 30, “Expanding affordable housing requires giving projects the support they need from the very beginning. Too many promising developments stall because they cannot secure financing for critical planning and predevelopment work. This revolving loan fund helps bridge that gap by providing flexible capital that will allow more projects to move forward, strengthen partnerships with faith based institutions and nonprofit organizations, and ultimately create more affordable housing opportunities for West-

chester residents.”

Westchester County Department of Planning Commissioner Blanca Lopez said, “Predevelopment financing is often one of the biggest barriers to bringing affordable housing projects to life. By creating this revolving loan fund, Westchester County is investing in the earliest stages of development, when strategic planning and technical assistance are most critical. This initiative will help build a stronger pipeline of affordable housing projects while supporting innovative partnerships that address local housing needs.”

Community Capital New York, a certified Community Development Financial Institution (CDFI), will administer the fund by overseeing outreach, application review, underwriting, loan servicing, technical assistance, compliance monitoring and reporting. The organization will also work with borrowers to help position successful projects for future financing opportunities, including construction



Loans of up to \$50,000 will be available for eligible affordable housing project predevelopment costs such as feasibility studies, architectural and engineering services, environmental assessments, legal expenses, permitting and project planning.

loans, tax credits and grants.

The fund is expected to support multiple affordable housing projects annually while expanding opportunities for nonprofit organizations, emerging developers and faith based institutions to transform underutilized properties into affordable housing. By providing critical early stage financing, Westchester County is helping strengthen the pipeline of housing projects that will serve working families, seniors and residents with low and moderate incomes for years to come, county officials said.

For more information on the new initiative, visit: <https://communitycapitalny.org/affordable-housing-predevelopment-revolving-loan-fund/> ■

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Attorney’s Column Continued from P. 6

contractual writing requirement through their conduct, precluding summary judgment.

On Tekton’s cross appeal, the appellate court also affirmed the discharge of the mechanic’s lien, holding that Tekton’s explanation of “inadvertent inclusions” without further supporting evidence was insufficient to rebut the showing that the lien had been willfully exaggerated.

Comment

Although written notice provisions are intended to protect the parties by creating a clear paper trail for potential disputes, parties remain free to chart their own course outside the strict language of the contract. However, when a dispute later arises, parties who ignored the contract’s procedural requirements during the project cannot realistically expect a court to enforce those same provisions simply because doing so has become advantageous.

Contractors should note that this decision involved two private entities. A very different outcome may have resulted had the owner been a public entity. Public owners benefit from statutory requirements mandating strict compliance, and courts are generally far less willing to depart from contractual requirements because the doctrine of equitable estoppel ordinarily does not apply against municipalities. The underlying public policy is to protect taxpayer dollars.

To best protect their contractual rights, contractors should follow the notice provisions contained in their contracts whenever possible and consult experienced construction counsel when disputes arise. One final reminder from this case remains unchanged: exaggerating a mechanic’s lien is still a very bad idea. ■

About the authors: *Thomas H. Welby, an attorney and licensed professional engineer, is General Counsel to the CIC and the BCA, and is the Founder of, and Senior Counsel to the law firm of Welby, Brady & Greenblatt, LLP, with offices located throughout the Tri-State Region. Gregory J. Spaun, General Counsel to the Queens and Bronx Building Association, and an attorney and a partner with the firm, co-authors this series.*

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Westchester Promotes Ghabour to Director Of Design Coordination DPW/Transportation

By GEORGE DRAPEAU III

WHITE PLAINS, NY—Westchester County announced it has appointed Susie Ghabour, P.E., to Director of Design Coordination in the Department of Public Works and Transportation. The appointment was recently announced by Commissioner of the Department Hugh J. Greechan, Jr., P.E.

In her new position, Ms. Ghabour will expand her responsibilities where she continues to manage some of Westchester County’s high-profile projects. Among them is the nearing completion of the Glen Island Bridge reconstruction in New Rochelle, NY, the \$78-million project to replace and repair the 90-year-old crossing now being undertaken by Kiewit Infrastructure Co./Eastern District.

Other major infrastructure projects include the redevelopment of the multi-purpose stadium at Memorial Field in Mount Vernon, NY, with 3,900-seat capacity for sports and entertainment. She also managed the reconstruction of the oldest county-owned recreation property, the Wilson Woods Park & Swimming Pool in Mount Vernon.

“Susie’s experience and proven skills make her exceptionally well-suited for her new role in the department,” Commissioner Greechan



Susie Ghabour, P.E.

said. “She has demonstrated a deep commitment to working with contractors and community groups—talents that make her an invaluable asset to Westchester County.”

The list of ongoing and upcoming project work managed by Westchester DPW/Transportation and its Design Coordination unit include:

- Tuckahoe Road improvements and bridges rehabilitation over the Bronx River and its namesake parkway in Tuckahoe and Yonkers;
- The replacement of Ward Ave Bridge over the Mamaroneck River



Susie Ghabour, P.E, at work on the Glen Island Bridge reconstruction project for the Westchester County Department of Public Works and Transportation

in the Village of Mamaroneck as part of a flood mitigation initiative coordinated with the U.S. Army Corps of Engineers study for the Mamaroneck and Sheldrake Rivers;

- Reconstruction of the Bronx River Parkway and Pathway in various locations;
- Rehabilitation of Saxon Woods Pool Complex in Saxon Woods Park, City of White Plains;
- Final completion of the recently reopened Glen Island Bridge in New Rochelle.

Ms. Ghabour joined Westchester County in 2017 as an assistant engineer and advanced to Senior Engineer in 2020, and Associate Engineer in 2022. Prior to joining Westchester County government, Ms. Ghabour worked as a design engineer for Tutor Perini Construction of New Rochelle, NY, and as a structural engineer for Maser Consulting P.A. of Chestnut Ridge, NY. She was graduated with a B.S.in Civil Engineering from Manhattan College (now University) in 2003. ■

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NYC Update

Expanding Affordable Homeownership in NYC Could Generate \$1B in Household Wealth a Year

NEW YORK—New York City could generate nearly \$1 billion in long term household wealth each year for low and moderate income families by expanding affordable homeownership opportunities, according to a report released Aug. 4 by the Regional Plan Association.

The report, *A Billion Dollar Blueprint: Closing New York's Homeownership Gap*, contends that while New York has invested billions of dollars in affordable rental housing, it has largely abandoned affordable homeownership as a public policy goal. Over the past 11 years, just 2% of the affordable housing developed through city programs was for homeownership, down from 20% between 2004 and 2013. Restoring that earlier benchmark could generate nearly \$1 billion annually in long term household wealth, with more than half of that wealth accruing in majority Black and Latino neighborhoods.

Some key findings from the report include:

- New York City has the lowest homeownership rate of any U.S. city with more than 500,000 residents.
- By a four to one margin, renters in the region would prefer to own a home.
- Affordable homeownership has fallen from 20% of city supported affordable housing production to just 2% over the past 11 years.
- The price of starter homes has increased 87% since 2009, compared with just 5.6% for the most expensive

25% of homes.

• Restoring affordable homeownership to 20% of city supported housing production could generate nearly \$1 billion in household wealth annually, with more than half of that wealth created in majority Black and Latino neighborhoods.

“New York has spent decades treating affordable housing almost exclusively as a rental strategy,” said Tom Wright, president and CEO of the Regional Plan Association. “That has helped countless families remain in the city, but it has also meant overlooking one of the most effective ways to help working families build wealth: homeownership. If we’re serious about expanding economic opportunity and narrowing the racial wealth gap, affordable homeownership has to become a much larger part of our housing strategy.”

The report comes as homeownership has become increasingly out of reach. Just 33% of New Yorkers own their homes, the lowest homeownership rate of any U.S. city with more than 500,000 residents and roughly half the national average, even though renters across the region say they would prefer owning a home to renting by nearly four to one.

The report finds that expanding affordable homeownership is about more than increasing ownership rates. Homeownership remains one of the strongest pathways to long term financial stability and wealth

creation, yet the wealth gap between homeowners and renters has grown to \$1.37 million nationally, driven largely by home equity. By creating more opportunities for first time buyers, particularly in neighborhoods with historically low homeownership rates, New York can help more families build assets while addressing longstanding racial and economic inequities.

The Regional Plan Association recommends modernizing tax incentives for homeownership, removing barriers to condominium development, expanding affordable homeownership programs, reforming taxes that disproportionately burden first time buyers and directing more ownership opportunities to neighborhoods where they have historically been scarce. ■



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Financial Management

Preparing Your Construction Company for Succession and Transition Planning in 2027

By PHILLIP ROSS, CPA, CGMA, PARTNER

Though many aspects of the construction industry require careful planning and strategy, one area that is sometimes overlooked is succession and transition planning. A succession plan should be developed well in advance, regardless of any immediate need, to help streamline future operations, reduce risk and avoid unnecessary delays. A well-crafted transition plan provides an exit strategy for owners while identifying future leaders who can assume key roles and sustain the company's long-term growth.

The importance of a succession and transition plan can be summarized in one simple principle: construc-

tional stability throughout the transition. A comprehensive plan can enhance earnings, sustain cash flow and es-

tablish a strong foundation for the next generation of leadership. The potential for consistent earnings throughout the transition can also

The potential for consistent earnings throughout a transition plan can also incentivize stakeholders and new leaders to buy in, as those leaders will ultimately play the primary role in determining the company's future success, value and public standing.

tion company owners should prepare for the long-term future of their business while maintaining operational, organizational and finan-

cial stability throughout the transition. A comprehensive plan can enhance earnings, sustain cash flow and es-

tablish a strong foundation for the next generation of leadership. The potential for consistent earnings throughout the transition can also



higher valuation and greater return on investment.

Moreover, installing capable leadership can help future proof a construction company's financial, business and management systems, maintain organizational continuity and retain valued employees for years to come. A well-executed transition also reduces uncertainty for clients and customers while helping resolve issues that may arise from internal dynamics.

By developing a clear succession timeline, owners can minimize risk, build stakeholder consensus and identify the next leader to guide the company forward. In addition, selecting leaders who demonstrate the skills and qualities valued by owners, board members and other stakeholders can help ensure a smooth transition while maintaining the confidence of minority owners, lenders and sureties.

One of the most important steps in the process is understanding the value of the company through a formal business valuation. This establishes a baseline for both exiting and incoming owners. It is equally important to involve attorneys and accountants early in the planning process to ensure the transition is legally sound, financially prudent and thoroughly documented. The terms of the transition should be clearly defined, including buy in and buy out amounts, payment schedules, interest rates, earn outs, if applicable, licensing requirements, tax considerations, entity structure, existing investments and employment agreements. Company leadership must also devote sufficient time and attention to ensure a successful transition.

Ultimately, consistency and



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Safety Watch

Scaffolding Safety: Why Every Employer Must Treat Fall Protection as Their Own Responsibility

By COSTAS CYPRUS, ESQ.

Scaffolding remains essential on construction projects, but incomplete platforms, missing guardrails and unsafe access points can expose workers to severe fall hazards. A recent Occupational Safety and Health Review Commission decision involving C Pacific Corporation d/b/a Five Star Builders reinforces an important lesson for every contractor, subcontractor and employer. Even if another contractor erects or controls the scaffold, employers whose employees use it still have an independent obligation to protect their workers from fall hazards.

The case arose from the construction of a car dealership in Saipan. Five Star Builders was retained to install aluminum cladding on the exterior of a building approximately 25 feet tall, requiring employees to use

a scaffold erected by the project's general contractor. On July 23, 2024, OSHA conducted a programmed inspection, a visit that uses neutral, objective criteria to target high hazard industries. Compliance officers observed employees working on scaffolding with missing planking, missing guardrails and stairways lacking required stair rails, exposing workers to falls ranging from approximately 5 feet to 20 feet.

OSHA ultimately cited the employer for three serious scaffolding violations. Although the employer argued that it neither erected nor controlled the scaffold, all three citations were affirmed, and it was assessed a grouped penalty of \$7,000. The decision provides several practical reminders for employers regarding scaffold safety and fall protection.

Fully Planked Platforms Are Not Optional

The first citation involved OSHA's requirement that scaffold platforms be fully planked. OSHA regulations require working platforms to be fully decked between the uprights with only minimal openings unless a larger opening is demonstrably necessary. During the inspection, OSHA documented numerous locations where planks were missing, creating gaps along working platforms. In several instances, em-

ployees were observed kneeling or working immediately adjacent to these openings while performing installation work. Some gaps exceeded OSHA's allowable dimensions, creating clear fall hazards.

The employer attempted to explain that some missing planks accommodated scaffold stairways. While the Administrative Law Judge acknowledged that certain openings may be necessary, it found numerous additional areas where missing planking could not be justified and where the remaining openings exceeded OSHA's maximum



level of the scaffold, including open ends and exposed sides. Although cross braces were present in some lo-

Employers should inspect scaffold platforms before permitting employees to work. Missing planks, excessive gaps or incomplete decking should be corrected before work begins.

ployees were observed kneeling or working immediately adjacent to these

allowable width.

Safe Access Means Proper Stair Rails

The second citation involved scaffold stairways. The scaffold utilized multiple elevated levels connected by interior stair towers that employees used throughout the workday. OSHA observed that none of the stairways contained compliant stair rails with both top rails and midrails on each side, as required by the standard. Employees regularly climbed these stairs while transporting tools and materials to upper work levels.

Although the employer argued that only portions of the stair tower lacked handrails and that employees minimized their exposure, the ALJ rejected those arguments after reviewing photographs showing widespread deficiencies throughout the stair system. Employers often focus on fall hazards while employees are actively working but overlook hazards encountered while simply accessing elevated work areas, which are equally important.

Guardrails Must Be Installed Before Employees Use the Scaffold

Perhaps the most significant citation involved missing guardrails. OSHA documented guardrails missing from nearly every

cations, the ALJ found they were installed at improper heights and therefore failed to satisfy OSHA's guardrail requirements. The scaffold should never have been released for employee use until compliant guardrails had been installed.

Photographs introduced during the hearing showed employees working directly adjacent to unprotected edges without guardrails, while some wore harnesses that did not appear to be properly secured. In fact, one of the employer's principal defenses was that certain employees wore personal fall arrest systems (PFAS). However, the ALJ found that argument unpersuasive because the evidence demonstrated that only a limited number of employees wore harnesses. Even among those who did, some were not tied off, while others had lanyards rolled up or unattached to an anchorage. Because use of PFAS was inconsistent and employees remained exposed to unprotected scaffold edges, the ALJ concluded the employer failed to provide adequate fall protection. Guardrails are mandatory for scaffold systems and cannot simply be replaced by inconsistent use of personal fall arrest equipment. Moreover, employers must ensure equip-

Please Turn to Page 22



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Low Bids

ECCO III, JR Cruz, Bothar, Road Safety, Hylan Datacom Land NYSDOT Projects

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

Bothar Construction LLC of Binghamton, NY was the lowest of three bidders at \$1,618,801.00 for crack sealing & mastic - various locations in Columbia, Dutchess, Orange, Putnam, Rockland, Ulster and Westchester counties.

Hylan Datacom & Electrical LLC of Holmdel, NJ was the lower of two bids at \$4,909,593.57 for lighting enhancements - Cross County Parkway, Town of Eastchester, Cities of Mount Vernon and Yonkers in Westchester.

JR Cruz Corp. of Holmdel, NJ was the lowest of six bidders at \$3,116,125.00 for where & when structures repair - various municipalities in Putnam, Rockland and Westchester counties.

ECCO III Enterprises Inc. of Yonkers, NY was the lowest of five bidders at \$3,150,626.00 for where & when structures repair - various municipalities in Columbia, Dutchess, Orange and Ulster counties.

Road Safety Systems LLC of Hammonton, NJ was the lowest of three bidders at \$406,247.00 for safety guiderail terminal replacements – Rte. I-684, Village of Harrison, Towns of Harrison and North Castle in Westchester.

Steven Giordano, All Bright, Triumph, Divine Cleaning Secure 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.

Steve Giordano Builders, Inc. of Yorktown Heights, NY was the lowest of four bidders at \$8,467,924.00 for New Maintenance and Storage Building Complex, Mohansic Golf Course, Yorktown, NY.

All Bright Electric of West Nyack, NY was the lowest of five bidders at \$8,099,000.00 for County Center Generator Replacement, 198 Central Ave., White Plains.

Triumph Construction Corp. of the Bronx, NY was the lowest of five bidders at \$5,666,550.00 for Infrastructure Improvements for Gas Main Extension, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, NY.

Divine Professional Cleaning Services Inc. of the Bronx, NY was the lowest of 12 bidders at \$363,538.00 for Janitorial Services at Reginald A. LaFayette County Office Building, 100 East First St., Mount Vernon, NY. ■



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Workzone Safety Continued from P. 8

crashes in 2024, resulting in 30 injuries and one fatality. State officials hope the expansion will reverse that trend and reduce the number of work zone crashes.

The AWZSE program uses speed enforcement cameras installed in active work zones. Motorists traveling 11 mph or more above the posted speed limit have their license plates photographed and receive a notice of liability by mail. Signs alert motorists when speed cameras are in use, and enforcement occurs only when workers are present.

Fines are \$50 for a first violation, \$75 for a second violation and \$100 for a third violation. Payments may be made by mail, by phone or through the NYS.gov website.

The first cameras were deployed in May 2023. Since then, more than 425,000 notices of liability have been issued statewide, including more than 38,000 repeat offenders. In locations where cameras have been deployed multiple times, fewer notices of liability have been issued, indicating motorists are slowing down when speed cameras are present.

New York State Thruway Authority Executive Director Frank G. Hoare said, “The Automated Work Zone Speed Enforcement Program has proven effective at changing driver behavior, with motorists slowing down and average speeds in work zones decreasing. That means safer conditions for the men and women who work every day to maintain and improve our transportation system, as well as for the motorists traveling through these areas. We thank Governor Hochul for her continued commitment to worker safety and for investing in the expansion of this proven program. By bringing automated speed enforcement to more work zones across New York State, we can further reduce dangerous driving, help protect our highway workers and ensure everyone gets home safely.”

Gov. Hochul has also proposed additional safety measures for highway workers in the 2027 State Budget. Those proposals include enhanced assault protections for highway workers, new penalties for menacing highway workers and intrusions into active work zones, as well as expanding the AWZSE program to additional roadways.

State Sen. Jeremy Cooney emphasized the importance of protecting highway workers. “[They] deserve to feel safe every time they’re on the job, and New York is leading the way to ensure it. From repairing roads and updating bridges to maintaining the systems that millions of New Yorkers rely on, our infrastructure depends on their dedication. As chair of the Senate Transportation Committee, I’m proud to work with Governor Hochul and the New York State Department of Transportation to expand the Automated Work Zone Speed Enforcement Program and keep highway workers out of harm’s way. It’s the protection they deserve.” ■

Scholarships Continued from P. 12

regain their global competitiveness and leadership.” Thomas Welby of Welby, Brady & Greenblatt, LLP, also a member of the scholarship committee, reflected on Mr. Nappi’s vision while encouraging students to pursue interests beyond their technical studies.

“Lou Nappi established this scholarship to encourage students to study STEM fields so our country could continue to compete with the rest of the world,” Mr. Welby said. “That has remained the focus of the scholarship committee, which continues Lou’s work.”

Mr. Welby concluded by sharing his own advice with students, noting that he always reads two books at the same time, one fiction and one nonfiction, as a way to continue learning while broadening his perspective.

In addition to Mr. Cooney, Mr. Mascetta and Mr. Welby, the scholarship committee includes Anthony Ascencao of Laborers Local 60, Brandon Ciccone of Ben Ciccone, Inc., Dean DiNatale of Yonkers Contracting Co., Inc., Samuel R. Etre of ELQ Industries, Inc., Jeffrey Loughlin of the Building & Construction Trades Council of Westchester & Putnam, Inc. and Operating Engineers Local 137, CIC Board Chair George Pacchiana of Thalle Industries, Inc., and Louis Picani of Teamsters Local 456.

For information about the scholarship program and application process, visit www.cicnys.org. ■

What's New & Who's News

Rand Appointed; López, O'Donnell Reappointed To Metropolitan Transportation Authority Board



Melanie Hartzog



Janette Sadik-Khan



Matthew Rand



James O'Donnell



Blanca López

NEW YORK—The Metropolitan Transportation Authority announced on July 29 that Melanie Hartzog, Janette Sadik-Khan and Matthew Rand were named as new MTA Board members, while James O'Donnell and Blanca López were reappointed to the board.

“Over the last few years, the MTA Board has stepped up to make the tough decisions to upgrade service and balance the books,” said MTA Chair and CEO Janno Lieber. “Our newest members have the public service bona fides and policy chops to further advance these efforts, and I look forward to working with them.”

The MTA is governed by a board comprised of 17 voting members. Members are nominated by the governor, with four recommended by the mayor of New York City and one each by the county executives of Nassau, Suffolk, Westchester, Dutchess, Orange, Rockland and Putnam counties. The board also includes non voting representatives of organized labor and users of MTA transit and commuter facilities.

The new member from the Hudson Valley region is Mr. Rand, while Ms. López and Mr. O'Donnell are returning to serve on the MTA Board.

Mr. Rand is president of Howard Hanna Real Estate Services' New York Region and president of Howard Hanna Rand Realty, overseeing residential real estate opera-

tions across New York, New Jersey and Connecticut. He leads one of the region's largest real estate organizations, with a focus on housing, economic development, technology and building stronger communities.

A lifelong Rockland County resident, Mr. Rand serves on the boards of The Realty Alliance, the Hudson Valley Economic Development Corporation, Pattern for Progress and the Rockland Business Association. He also serves on New York State's Mid Hudson Regional Economic Development Council, where he has helped advance initiatives to strengthen the region's economy and communities.

Earlier this year, Westchester County representative Blanca López was reappointed by the governor and reconfirmed by the New York State Senate to the MTA Board. Ms. López is an experienced professional with more than two decades of experience in community development, planning and housing. She currently serves as Commissioner of Planning for Westchester County.

She previously served as Assistant Director of Operations for Westchester County. In that role, she oversaw all county housing related programs, the implementation of policies recommended by the Police Reform Task Force across county departments, and Raise the Age implemen-

tation in partnership with the Probation Department. Ms. López joined the Latimer administration in 2018, serving as advisor on Fair and Affordable Housing and liaison to county departments including Corrections, Emergency Services, the Human Rights Commission and the Office for People with Disabilities.

Her previous experience includes serving as Program Director for Human Development Services of Westchester, a New York State funded program that preserves affordable housing, and as Legislative and Community Affairs Representative for then U.S. Rep. Nita M. Lowey, assisting constituents with housing, immigration and veterans affairs while developing outreach strategies for Spanish speaking and immigrant communities throughout Lowey's congressional district.

Mr. O'Donnell was reappointed to the MTA Board, where he will continue contributing his extensive public service experience. He has served as an Orange County legislator since being elected in a 2016 special election and was re elected in 2017 and 2021. He joined Orange County government in 2004 as Director of Operations and was appointed Deputy County Executive in 2005, serving in that role until 2013. During his tenure, he oversaw economic development and served as Executive Director

of the Foreign Trade Zone and the Orange County Industrial Development Agency.

Mr. O'Donnell began his career as a New York State Trooper, rising through leadership positions including Captain of the Violent Felony Warrant Squad, Major overseeing State Police operations in New York City and Troop Commander of Troop F. He was later appointed Lieutenant Colonel in charge of statewide Uniform Trooper patrols. In 1999, he became Chief of the MTA Police Department, where he reorganized the former Long Island Rail Road and Metro North Railroad police forces into the new MTA Police Department and strengthened counterterrorism preparedness, which proved critical during and after the Sept. 11 attacks. Mr. O'Donnell also oversaw the MTA's evacuation of New York City and the agency's police response in the months following the attacks.

Ms. Hartzog is president and CEO of The New York Foundling, one of the nation's largest and oldest nonprofit organizations. The Foundling serves more than 30,000 people annually in the New York metropolitan area and Puerto Rico through more than 40 programs spanning child welfare, developmental disabilities, education, juvenile justice, health and behavioral health.

Previously, Ms. Hartzog served as New York City Dep-

uty Mayor for Health and Human Services and Director of the Mayor's Office of Management and Budget, where she oversaw the nation's largest municipal budget. She also served as Family Services Coordinator for the Deputy Mayor for Health and Human Services, Deputy Commissioner of the Administration for Children's Services, and led a social services unit within the Mayor's Office of Management and Budget.

Ms. Sadik-Khan previously served as New York City Transportation Commissioner from 2007 to 2013 under Mayor Michael R. Bloomberg, where she led transformative initiatives to improve street safety and expand pedestrian space. During her tenure, New York City installed nearly 400 miles of bike lanes, created more than 60 public plazas, including the pedestrian plaza at Times Square, and launched North America's largest bike share program, Citi Bike, along with seven Select Bus Service routes.

Ms. Sadik-Khan currently serves as a principal at Bloomberg Associates and as chairperson of the National Association of City Transportation Officials and the Global Designing Cities Initiative, helping implement people focused street design standards that have been adopted in more than 150 cities across the United States and around the world. ■

Financial Column Continued from P. 18

long-term growth should remain the priorities throughout the succession process. The more comprehensive the strategy, the greater the likelihood the company will retain key employees and attract future talent. Additional strategies may include

incentive compensation plans for key employees who might otherwise pursue other opportunities, along with measures that encourage motivation, loyalty and commitment to the next generation of leadership.

Although construction

companies may be focused on navigating the economic landscape and planning for 2027, succession and transition planning should remain a priority, regardless of whether ownership changes occur in the near term or years into the future.

Companies that prepare well in advance will be better positioned to transition leadership smoothly while minimizing disruptions to operations.

For succession and transition planning best practices, consult your CPA. ■

About the author: Philip 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.

County Executive Ken Jenkins Reappointed Chair of NACo Transportation Subcommittee

WHITE PLAINS—The National Association of Counties (NACo) has reappointed Westchester County Executive Ken Jenkins as chair of the Transit and Rail Subcommittee of its Transportation Steering Committee.

The NACo Transportation Steering Committee works to shape policy on federal transportation

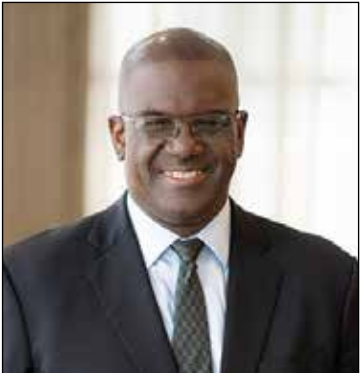
legislation, funding and regulation, and how those policies impact county governments. The committee focuses on highway and bridge development, finance and safety, public transit development, transportation planning, airport development and service, passenger and freight railroads, ports and waterways, freight

movement, and research and development of new modes of transportation.

“I am honored to have been reappointed chair of the Transit and Rail Subcommittee of the National Association of Counties Transportation Steering Committee. Public transportation is about more than getting from one place to another. It is an essential

resource for economic opportunity, environmental sustainability and quality of life in our communities,” Westchester County Executive Jenkins said.

Mr. Jenkins’ reappointment ensures Westchester County will continue to have a voice in shaping the future of transit and rail infrastructure at the national level. ■



Westchester County Executive Ken Jenkins

Shorris, Khan Named President and Chairman Of NYC Economic Development Corporation

NEW YORK—On July 22, New York City Mayor Zohran Kwame Mamdani appointed Anthony Shorris as President and CEO of the New York City Economic Development Corporation. Mr. Shorris brings more than 40 years of experience leading many of the nation’s largest public sector and non-profit organizations, having managed multibillion dollar budgets, tens of thousands of employees, and the strategic direction of city and state agencies overseeing government, transportation, housing, healthcare and education.

Mr. Shorris takes the helm of NYCEDC as the Mamdani administration works to make New York more affordable and ensure that economic development reaches the working people who keep the city running. Under his leadership, NYCEDC will use city owned land, financing and investment to build affordable

housing, create good jobs, support small businesses and deliver public benefits in every borough.

As First Deputy Mayor under Mayor Bill de Blasio, Mr. Shorris served as chief operating officer of a city government with roughly 350,000 employees, a \$100 billion annual budget and more than three dozen agencies. Earlier, as a senior budget official under Mayor Edward I. Koch, he helped develop the Ten Year Housing Plan, the nation’s largest municipal housing initiative at the time, dedicating more than \$4 billion in city capital to the construction and rehabilitation of nearly 200,000 affordable housing units in neighborhoods devastated by disinvestment and arson. As Finance Commissioner, he led the nation’s fourth largest tax agency, cracked down on tax fraud in some of the largest investigations in city history

and created the city’s first Taxpayer Bill of Rights.

During his career, Mr. Shorris also served as Executive Director of the Port Authority of New York and New Jersey, Deputy Chancellor for Operations at the Department of Education, and in senior healthcare leadership positions at NYU Langone Health and Healthfirst, the nonprofit insurer he helped launch to serve low income New Yorkers. Today, he is a partner at McKinsey & Company and teaches in the graduate program at the School of Public and International Affairs at Princeton University. He is also vice chair of the Regional Plan Association and a member of the board of the United Hospital Fund.

The administration also announced that former Federal Trade Commission Chair Lina Khan will serve as chair of the NYCEDC Board of Directors.

Ms. Khan is an associate



Anthony Shorris

professor of law at Columbia Law School, where she directs the Center for Law and the Economy. From June 2021 through January 2025, she served as Chair of the Federal Trade Commission, where she managed a \$425 million budget and enforced the nation’s antitrust and consumer protection laws. Her major initiatives included addressing noncompete clauses that harm workers and entrepreneurs, challenging monopolistic practices that squeeze startups and small



Lina Khan

businesses, and ensuring that honest businesses can compete on a level playing field. Previously, she served as counsel to the U.S. House Judiciary Committee’s Subcommittee on Antitrust, Commercial and Administrative Law.

The administration also announced the reappointment of Clare Newman as President and CEO of the Trust for Governors Island and Lindsay Greene as President and CEO of the Brooklyn Navy Yard Development Corporation. ■

Safety Watch continued from P. 19

ment is properly worn, appropriately anchored and used consistently whenever required.

The Exposing Employer Remains Responsible

Another significant aspect of the decision involves a reiteration of the “multi employer worksite doctrine,” which has been discussed repeatedly in this series and allows OSHA to cite more than one employer. Here, one of the employer’s defenses was that responsibility belonged to the general contractor because it erected

and maintained the scaffold. Although it was acknowledged that the general contractor controlled construction of the scaffold, the ALJ rejected this defense because Five Star’s employees were exposed to hazardous conditions and the company had an independent duty to protect them, even when another contractor created or controlled the hazard.

Five Star made only limited efforts to address the hazards, and only after OSHA initiated its inspection. Employers must take

reasonable steps to protect their employees. These measures include notifying the controlling contractor of hazardous conditions, requesting prompt correction, restricting employee exposure until hazards are eliminated or implementing other effective protective measures. Here, supervisors knew about the missing planks, missing stair rails and missing guardrails for several days before OSHA arrived, yet work continued until the compliance officer identified the deficiencies.

Employers should inspect scaffold platforms before permitting employees to work. Missing planks, excessive gaps or incomplete decking should be corrected before work begins. Procedures should require supervisors to inspect scaffolds before each shift, confirm platforms are fully planked, verify guardrails and stair rails are installed, ensure employees properly use personal fall arrest systems when required and immediately report deficiencies to the contractor responsible for scaffold erection. Most important-

ly, employees should not be permitted to use scaffolding presenting obvious fall hazards simply because another contractor built it. Subcontractors cannot avoid liability by pointing to the general contractor when their employees continue working on unsafe scaffolding. ■

About the author: Costas Cyprus, Esq. is a partner at the firm of Welby, Brady & Greenblatt, LLP, in White Plains. He practices construction law and commercial litigation and can be reached at 914-428-2100 or ccyprus@wbglp.com.

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NYSDOT
Region 8

Bid Letting Date: August 27, 2026
New York State Department of Transportation
Contract Management
50 Wolf Rd., 1st Floor, Suite 1CM, Albany, NY 12232

Contract: D265828
PIN# 881563

Project Description: Columbia, Dutchess, Orange, Putnam, Rockland, Ulster, Westchester Cos., emergency highway repairs where and when - various locations.

Bid Deposit: 5% of Bid

Goals: MBE: 8.00%, WBE: 7.00%, SDVOB: 6.00%

Region 9

Bid Letting Date: August 27, 2026
New York State Department of Transportation
Contract Management
50 Wolf Rd., 1st Floor, Suite 1CM, Albany, NY 12232

Contract: D265794
PIN# 9LC112

Project Description: replacement – NY Routes 41, 206, 30, & 17B, Towns of Bainbridge, Bethel, Colesville and Hancock.

Bid Deposit: 5% of Bid

Goals: DBE: 0.00%

Bid Letting Date: August 27, 2026
New York State Department of Transportation
Contract Management
50 Wolf Rd., 1st Floor, Suite 1CM, Albany, NY 12232

Contract: D265810
PIN# 904508

Project Description: Broome Co., pavement resurfacing - NY Rte. 201, Flyover to Harry L. Drive, Village of Johnson City.

Bid Deposit: 5% of Bid

Goals: DBE: 0.00%

Region 10

Bid Letting Date: August 27, 2026
New York State Department of Transportation
Contract Management
50 Wolf Rd., 1st Floor, Suite 1CM, Albany, NY 12232

Contract: D265803
PIN# 0PRB26

Project Description: Nassau, Suffolk Cos., requirements graffiti removal, tree trimming, park & ride/ bikeway/noise wall maintenance - various locations. No Plans.

Bid Deposit: 5% of Bid

Goals: MBE: 8.00%, WBE: 7.00%, SDVOB: 6.00%

Bid Letting Date: August 27, 2026
New York State Department of Transportation
Contract Management
50 Wolf Rd., 1st Floor, Suite 1CM, Albany, NY 12232

Contract: D265819
PIN# 0RWV26

Project Description: Nassau, Suffolk Cos., where & when - various locations.

Bid Deposit: 5% of Bid

Goals: MBE: 8.00%, WBE: 7.00%, SDVOB: 6.00%

Bid Letting Date: August 27, 2026
New York State Department of Transportation
Contract Management
50 Wolf Rd., 1st Floor, Suite 1CM, Albany, NY 12232

Contract: D265833
PIN# 0CWS01

Project description: Nassau, Suffolk Cos., requirements curve warning sign upgrades - various locations. No Plans,

Bid Deposit: 5% of Bid

Goals: DBE: 0.00%

Region 11

Bid Letting Date: Sept. 16, 2026
New York State Department of Transportation
Contract Management
50 Wolf Rd., 1st Floor, Suite 1CM, Albany, NY 12232

Contract: D265786
PIN# X73154

Project Description: Kings Co., bridge rehabilitation - 907C (Owl's Head Viaduct) over 61st Street.,

Prebid Meeting, Best Value Procurement,

Bid Deposit: 5% of Bid

Goals: DBE: 0.00%

Bid Letting Date: Sept. 17, 2026
New York State Department of Transportation
Contract Management
50 Wolf Rd., 1st Floor, Suite 1CM, Albany, NY 12232

Contract: D265800,
PIN# XM2542

Project Description: Bronx, Queens Cos., highway sign structure replacements - various routes, City of New York, PLA Candidate.

Bid Deposit: 5% of Bid

Goals: MBE: 8.00%, WBE: 7.00%, SDVOB: 6.00%

New York State
Dormitory Authority

Bid Opening Date: August 20, 2026
Title: City University of New York, New York City College of Technology, Namm Building Hot Water Perimeter Heating System & Associated Asbestos Abatement

Contract: C1321 – General Construction

Project# 3714009999

Estimated Cost Range: \$18,500,000 to \$19,000,000.

Sealed bids for the above Work located at NYCCT, 300 Jay Street, Brooklyn, New York, 11201, will be received by DASNY at its office located at 515 Broadway, Albany, NY 12207. Each bid must be identified, on the outside of the envelope, with the name and address of the bidder and designated a bid for the Project titled above. When a sealed bid is placed inside another delivery jacket, the bid delivery jacket must be clearly marked on the outside “BID ENCLOSED” and “ATTENTION: CONSTRUCTION CONTRACTS – MOLLY SAAR.” DASNY will not be responsible for receipt of bids which do not comply with these instructions.

The Dormitory Authority of the State of New York (“DASNY”) has determined that its interest in obtaining the best work at the lowest possible price, preventing favoritism, fraud and corruption, and other considerations such as the impact of delay, the possibility of cost savings advantages and any local history of labor unrest are best met by use of a Project Labor Agreement (“PLA”) on this Project. The successful low bidder, as a condition of being awarded this Contract, will be required to execute

the PLA described in the Information for Bidders and included in the Contract Documents. See Section 18.0 of the Information for Bidders of the Contract Documents for additional information. All subcontractors of every tier will be required to agree to be bound by the PLA.

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 August 20, 2026, 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: Erick Ramirez, Sr. Assistant Project Manager, 186 Jay Street, Brooklyn, New York, 11201, eramirez@dasny.org, 518-479-2201, (the Owner's Representative) and DASNY at ccontracts@dasny.org. Contacts made to other DASNY personnel regarding this procurement may disqualify the prospective bidder and affect future procurements with governmental entities in the State of New York. For more information pursuant to this law, refer to DASNY’s website; <http://www.dasny.org> or the OGS website; <http://www.ogs.state.ny.us>.

A Pre-Bid Meeting will scheduled on August 3, 2026, at 10:00 AM at 300 Jay Street, Brooklyn, New York 11201. Please contact Erick Ramirez at eramirez@dasny.org to attend. All prospective bidders are strongly encouraged to attend.

A complete set of contract documents may be viewed and/or purchased online from Camelot Print and Copy Centers. Only those Contract Documents obtained in this manner will enable a prospective bidder to be identified as an official plan holder of record. DASNY takes no responsibility for the completeness of Contract Documents obtained from other sources. Contract Documents obtained from other sources may not be accurate or may not contain addenda that may have been issued. In addition, prospective bidders are advised that the Contract Documents for this Project contain new “GENERAL CONDITIONS for CONSTRUCTION” dated February 4, 2026, 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>.

Bid Opening Date: August 27, 2026

Title: Office of Mental Health, Rockland Psychiatric Center, Renovate Nursing Cores Buildings 58 & 60 & Associated Asbestos Abatement

Contract: C625 General Construction

Project# 3726909999

Estimated Cost Range: \$27,000,000 - \$29,000,000.

Sealed bids for the above Work located at Rockland PC, 140 Old Orangeburg Road, Orangeburg, New York, 10962, will be received by DASNY at its office located at 515 Broadway, Albany, NY 12207. Each bid must be identified, on the outside of the envelope, with the name and address of the bidder and designated a bid for the

Project titled above. When a sealed bid is placed inside another delivery jacket, the bid delivery jacket must be clearly marked on the outside “BID ENCLOSED” and “ATTENTION: CONSTRUCTION CONTRACTS – TRACEY MEYER.” DASNY will not be responsible for receipt of bids which do not comply with these instructions.

The Dormitory Authority of the State of New York (“DASNY”) has determined that its interest in obtaining the best work at the lowest possible price, preventing favoritism, fraud and corruption, and other considerations such as the impact of delay, the possibility of cost savings advantages and any local history of labor unrest are best met by use of a Project Labor Agreement (“PLA”) on this Project. The successful low bidder, as a condition of being awarded this Contract, will be required to execute the PLA described in the Information for Bidders and included in the Contract Documents. See Section 18.0 of the Information for Bidders of the Contract Documents for additional information. All subcontractors of every tier will be required to agree to be bound by the PLA.

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 August 27, 2026, 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: Michael Tyler, Project Manager, 140 Old Orangeburg Road, Orangeburg, New York, 10962, mtyler@dasny.org, 518-898-6359, (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 July 29, 2026, at 10:00 AM at DASNY Field Office, Rockland PC, Building 19, 2nd Floor, 140 Old Orangeburg Road, Orangeburg, New York, 10962. Please contact Michael Tyler at 518-898-6359. 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 February 4, 2026, that contain significant revisions from those documents previously contained in DASNY’s Contract Documents. Prospective bidders are further advised to review applicable sections of these General Conditions for any potential impact on their bid price prior to submittal of the bid. The plan holders list and a list of interested subcontractors and material suppliers may be viewed at DASNY’s website: <http://www.dasny.org>. For Bid Opportunities and other DASNY related news, follow us on Twitter @NYS_DASNY and Facebook <https://www.facebook.com/pages/DASNY-Dormitor-Authority-of-the-State-of-New-York/307274192739368>.

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

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IT'S OUR TIME!

WISHING OUR CONTRACTORS, ASSOCIATIONS,
AND OUR HARD WORKING MEMBERS A SAFE
AND PRODUCTIVE CONSTRUCTION SEASON!

