

A RESOLUTION OF THE DORMITORY AUTHORITY OF THE STATE OF
NEW YORK (DASNY) AUTHORIZING DASNY TO INCLUDE COMPLIANCE
WITH A PROJECT LABOR AGREEMENT AS A REQUIREMENT IN THE
PROJECT BIDDING DOCUMENTS IN CONNECTION WITH THE
WESTERN NEW YORK CHILDREN'S PSYCHIATRIC CENTER

WHEREAS, the Office of Mental Health of the State of New York ("OMH") has requested that DASNY manage a new addition and renovations of an existing facility at Western New York Children's Psychiatric Center in West Seneca, New York (the "Project"); and

WHEREAS, the proposed Project will consist of renovations to the existing facility (single story) of approximately 60,000 square feet and the construction of a new addition (single story) of approximately 46,300 square feet for the Children and Youth Residential Program Spaces. In addition, new Children and Youth secure outdoor recreation areas will be created between the wings of the new addition; and

WHEREAS, OMH has requested that a project labor agreement ("PLA") be negotiated with the Building and Construction Trades Council of Buffalo, New York and Vicinity (the "Council") and that DASNY include compliance with the PLA as a requirement in the Project bidding documents; and

WHEREAS, DASNY, in support of their request, has engaged Liro Engineers, Inc. ("Liro") to prepare a report entitled "Feasibility Analysis, Development and Implementation of a Project Labor Agreement for DASNY Project #348510, Additions and Renovations at the Western New York Children's Psychiatric Center, West Seneca, New York (the "PLA Feasibility Analysis"); and

WHEREAS, the PLA Feasibility Analysis finds that a PLA would result in the lowest reasonable cost because of the size, complexity and duration of the Project in that the PLA may, among other things: (i) allow utilization of prefabricated items; (ii) allow flexible start times; (iii) make all labor positions productive and working; (iv) fully utilize an apprenticeship program; (v) eliminate strikes, lockouts and other work stoppages; (vi) eliminate the requirements of the Wick's law; (vii) standardize overtime rates and (viii) allow utilization of shift work; and

WHEREAS, consistent with DASNY's Policy Regarding Utilization and Negotiation of Project Labor Agreements adopted on January 25, 2012 (the "Policy"), it is the desire of the Board, that the PLA, in addition to achieving the economic savings, make adequate provision for the ability of M/WBE firms to participate in the Project; and

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. DASNY is hereby authorized to proceed in accordance with its Policy and Labor Law section 222 with the negotiation of a PLA and, if found to be in furtherance of the Policy and the Labor Law, include compliance with the PLA as a requirement in the Project bidding documents.
2. This Resolution shall take effect immediately.