

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 MID-HUDSON FORENSIC PSYCHIATRIC CENTER

WHEREAS, the Office of Mental Health of the State of New York (“OMH”) has requested that DASNY manage the construction of a new forensic hospital building at the Mid-Hudson Forensic Psychiatric Center in New Hampton, New York (the “Project”); and

WHEREAS, the proposed Project will consist of the construction of a new forensic hospital building adjacent to the existing Mid-Hudson Psychiatric Center under a scheduled construction period with an anticipated start date in December 2023 and an anticipated completion date in March 2028, with approximate construction costs of \$310 million; and

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

WHEREAS, DASNY, in support of their request, engaged Liro Engineers, Inc. (“Liro”) to prepare a report entitled “Feasibility Analysis, Development and Implementation of a Project Labor Agreement for DASNY Project #359000, Construction of the Mid-Hudson Forensic Psychiatric Center New Hampton, 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 for 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 for 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 and SDVOB firms to participate in the Project; and

WHEREAS, the Members of the Board of DASNY have reviewed the PLA Feasibility Analysis and the recommendations of staff of DASNY and find that the use of a PLA in connection with the Project is in furtherance of the Policy and New York Labor Law section 222;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Members of the DASNY Board hereby authorize the execution of the Memorandum of Understanding attached hereto as Attachment “A”; and
2. The Members of the DASNY Board hereby authorize the execution of the agreement by and between DASNY and the Hudson Valley Building and Construction Trades Council of Newburgh, New York, AFL-CIO pursuant to which the local unions agree to be bound by the Memorandum of Understanding and the Project Labor Agreement incorporated into the Memorandum of Understanding; and
3. This Resolution shall take effect immediately.