A RESOLUTION OF THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK AUTHORIZING DASNY TO INCLUDE COMPLIANCE WITH A PROJECT LABOR AGREEMENT AS A REQUIREMENT IN THE PROJECT BIDDING DOCUMENTS FOR THE SYRACUSE UPSTATE MEDICAL UNIVERSITY COMMUNITY HOSPITAL PARKING GARAGE PROJECT

WHEREAS, the State University of New York, Syracuse Upstate Medical University ("Syracuse UMU") requested that DASNY manage the construction of the Community Hospital Parking Garage new 800 space, 5-story parking structure and 100 space surface lot in Syracuse, New York (the "Project"); and

WHEREAS, the proposed Design-Build Project will consist of construction of a new 800 space, 5-story parking structure and demolition and removal of the existing parking structure, including hazardous materials abatement as well as construction of a new 100 space surface lot. The projected construction duration is eighteen months, with a preliminary construction cost estimate of $63.56M; and

WHEREAS, Syracuse UMU has agreed that a project labor agreement ("PLA") should be negotiated with the Central and Northern New York Building & Construction Trades Council, AFL-CIO and that DASNY include compliance with the PLA as a requirement in the Project bidding documents; and

WHEREAS, DASNY, in support of this request, engaged LiRo Engineers, Inc. to prepare a report entitled "Feasibility Analysis, Development and Implementation of a Project Labor Agreement for the Syracuse Upstate Medical University Community Hospital Parking Garage Project (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 precast and prefabricated items; (ii) allow for flexible start times; (iii) make all labor positions productive and working; (iv) eliminate strikes, lockouts and other work stoppages; (v) eliminate the requirements of the Wick's law; (vi) standardize overtime rates (vii) allow for flexibility of coordinating and/or staggering meal periods, 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 Central and Northern New York Building & Construction Trades Council, AFL-CIO pursuant to which the local unions agree to be bound by the Memorandum of Understanding and the PLA incorporated into the Memorandum of Understanding; and

3. This Resolution shall take effect immediately.