

3295

2015-2016 Regular Sessions

I N   S E N A T E

February 4, 2015

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Introduced by Sen. RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, the state finance law and the labor law, in relation to project labor agreements for public work projects; and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. This act shall be known and may be cited as the "public  
2     construction savings pilot act".  
3     S 2. The public authorities law is amended by adding a new section  
4     2880-b to read as follows:  
5     S 2880-B. PROJECT LABOR AGREEMENTS BY PUBLIC AUTHORITIES. A CONTRACTOR  
6     BIDDING ON A REQUEST FOR PROPOSAL ISSUED BY ANY PUBLIC AUTHORITY FOR (I)  
7     THE ERECTION, CONSTRUCTION OR ALTERATION OF BUILDINGS, OR (II) THE  
8     CONSTRUCTION, RECONSTRUCTION, REPAIR OR IMPROVEMENT TO ROADS, TOLLROADS,  
9     HIGHWAYS, RAILWAYS, BRIDGES, TERMINALS, OR OTHER TRANSPORTATION FACILI-  
10    TIES, WITH A PROJECT LABOR AGREEMENT PURSUANT TO PARAGRAPH (A) OF SUBDI-  
11    VISION TWO OF SECTION TWO HUNDRED TWENTY-TWO OF THE LABOR LAW, MAY  
12    SUBMIT A BID THAT DOES NOT INCLUDE A PROJECT LABOR AGREEMENT AND SUCH  
13    CONTRACT FOR PUBLIC WORK SHALL BE AWARDED TO THE CONTRACTOR WITH THE LOW  
14    BID REGARDLESS OF WHETHER A PROJECT LABOR AGREEMENT WAS INCLUDED IN A  
15    CONTRACTOR'S BID PROPOSAL.  
16    S 3. The state finance law is amended by adding a new section 148 to  
17    read as follows:  
18    S 148. PROJECT LABOR AGREEMENTS. A CONTRACTOR BIDDING ON A REQUEST FOR  
19    PROPOSAL ISSUED BY AN OFFICER, BOARD, DEPARTMENT, COMMISSION OR COMMIS-  
20    SIONS FOR (I) THE ERECTION, CONSTRUCTION OR ALTERATION OF BUILDINGS FOR  
21    THE STATE, OR (II) THE CONSTRUCTION, RECONSTRUCTION, REPAIR OR IMPROVE-  
22    MENT TO ROADS, TOLLROADS, HIGHWAYS, RAILWAYS, BRIDGES, TERMINALS, OR

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 OTHER TRANSPORTATION FACILITIES FOR THE STATE, WITH A PROJECT LABOR  
2 AGREEMENT PURSUANT TO PARAGRAPH (A) OF SUBDIVISION TWO OF SECTION TWO  
3 HUNDRED TWENTY-TWO OF THE LABOR LAW, MAY SUBMIT A BID THAT DOES NOT  
4 INCLUDE A PROJECT LABOR AGREEMENT AND SUCH CONTRACT FOR PUBLIC WORK  
5 SHALL BE AWARDED TO THE CONTRACTOR WITH THE LOW BID REGARDLESS OF WHETH-  
6 ER A PROJECT LABOR AGREEMENT WAS INCLUDED IN A CONTRACTOR'S BID  
7 PROPOSAL.

8 S 4. Paragraph (a) of subdivision 2 of section 222 of the labor law,  
9 as added by section 18 of part MM of chapter 57 of the laws of 2008, is  
10 amended to read as follows:

11 (a) [Any] EXCEPT AS PROVIDED IN SECTION TWENTY-EIGHT HUNDRED EIGHTY-B  
12 OF THE PUBLIC AUTHORITIES LAW OR SECTION ONE HUNDRED FORTY-EIGHT OF THE  
13 STATE FINANCE LAW, ANY agency, board, department, commission or officer  
14 of the state of New York, or of any political subdivision thereof as  
15 defined in section one hundred of the general municipal law, municipal  
16 corporation as defined in section sixty-six of the general construction  
17 law, public benefit corporation, or local or state authority as defined  
18 in section two of the public authorities law having jurisdiction over  
19 the public work may require a contractor awarded a contract, subcon-  
20 tract, lease, grant, bond, covenant or other agreement for a project to  
21 enter into a project labor agreement during and for the work involved  
22 with such project when such requirement is part of the agency, board,  
23 department, commission or officer of the state of New York, political  
24 subdivision, municipal corporation, public benefit corporation or local  
25 or state authority having jurisdiction over the public work request for  
26 proposals for the project and when the agency, board, department,  
27 commission or officer of the state of New York, political subdivision,  
28 municipal corporation, public benefit corporation or local or state  
29 authority having jurisdiction over the public work determines that its  
30 interest in obtaining the best work at the lowest possible price,  
31 preventing favoritism, fraud and corruption, and other considerations  
32 such as the impact of delay, the possibility of cost savings advantages,  
33 and any local history of labor unrest, are best met by requiring a  
34 project labor agreement.

35 S 5. This act shall take effect on the sixtieth day after it shall  
36 have become a law and shall expire 5 years after such effective date  
37 when upon such date the provisions of this act shall be deemed repealed.  
38 This act shall control all contracts advertised or solicited for bid on  
39 or after the effective date of this act under the provisions of any law  
40 requiring contracts to be let pursuant to provisions of law amended by  
41 this act.