STATE OF NEW YORK

6099

2023-2024 Regular Sessions

IN ASSEMBLY

April 3, 2023

Introduced by M. of A. JOYNER -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to metropolitan transportation authority contracts involving industrial painting and industrial coatings

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The public authorities law is amended by adding a new section 1265-c to read as follows:

§ 1265-c. Contracts involving industrial painting and industrial coatings. 1. Any authority contract for the application of industrial painting or industrial coating shall include provisions regarding contractor, subcontractor and worker certification as follows:

a. Contractors and subcontractors doing work involving industrial painting and industrial coating shall certify that all work completed meets the minimum standards established under this section by the comptroller regarding industrial painting and industrial coating.

b. Contractors and subcontractors doing work involving industrial painting and industrial coating that require the disturbance of lead-based paint or other hazardous materials shall certify that all work conducted on the project meets the minimum standards established under this section by the comptroller.

2. Any certifications required by this section shall be kept current for the duration of the contract.

3. The comptroller, in coordination with the office of general services, shall establish guidelines concerning the procurement of industrial paints and industrial coatings as well as the qualifications required for the application of industrial paints and industrial coatings by contractors and subcontractors pursuant to section twenty-eight hundred seventy-nine-a of this chapter. Such guidelines shall implement a certification process with minimum standards for contractors and

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

LBD06784-01-3

subcontractors to file with the authority upon completion of a project. When establishing guidelines related to industrial paints and industrial coatings, the comptroller shall consider industry standards set forth by the Association for Materials Protection and Performance (AMPP) or other similar associations that set industry standards for protective coatings and shall consult with affected contractors and subcontractors to consider environmental impact as well as the impact on public health and safety. The comptroller shall establish contractor and subcontractor requirements for employees working on industrial painting and industrial coating projects including, but not limited to, requiring specific trainings or certifications for individual employees.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall apply to any metropolitan transportation authority contracting opportunities advertised on or after such date and shall exclude contracts for which an invitation for bid, request for proposal, or similar solicitation has been issued prior to the effective date of this act.