

A RESOLUTION OF THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK  
(DASNY) AUTHORIZING STAFF AND BOND COUNSEL TO  
PROCEED TO TAKE THE NECESSARY ACTION TO PREPARE  
THE APPROPRIATE DOCUMENTS TO PROVIDE FOR THE  
FINANCING OF FACILITIES FOR WHITE PLAINS HOSPITAL

Resolved that the staff and bond counsel be authorized to proceed to take the necessary action and prepare the appropriate documents to provide for the financing of facilities for White Plains Hospital provided, however, that the adoption of this Resolution imposes no duty on the part of DASNY to issue obligations for or on behalf of White Plains Hospital.

This Resolution shall take effect immediately.

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 620 WESTFALL ROAD INTENSIVE USE OPTION (ITO) PROJECT

WHEREAS, the Office of People With Developmental Disabilities of the State of New York (“OPWDD”) had requested that DASNY manage the renovation and improvement of the 620 Westfall Road Intensive Treatment Option (ITO) project involving the renovation of Wings A & B of the Finger Lakes Developmental Disabilities Service Office at 620 Westfall Road in Rochester, New York (the “Project”); and

WHEREAS, the proposed Project will consist of the renovation of certain components and systems in their occupied Wings A & B on the Westfall Campus, including the removal and replacement of the existing roof, site improvements, replacement of existing storefront doors and windows, mechanical renovations and upgrades, and kitchen and bathroom renovations. The Project will be performed in multiple phases. The projected construction duration is twenty-two (22) months, with a preliminary construction cost estimate of \$26.2 million; and

WHEREAS, OPWDD has requested that a project labor agreement (“PLA”) be negotiated with the Building and Construction Trades Council of Rochester, New York and Vicinity, AFL-CIO 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 No. 373920, Finger Lakes Developmental Disabilities Service Office, Westfall Campus – Renovation of Wings A&B, Rochester, 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 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 been informed of the results of the PLA Feasibility Analysis, have reviewed 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 Building and Construction Trades Council of Rochester, New York and Vicinity, 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.