

Ratifying Recommendations Made To The Ulster County Legislature Regarding The Use Of A Project Labor Agreement For A Capital Construction Project At Ulster County Community College

Legislator Zimet offers the following:

WHEREAS, Resolution No. 319, dated October 11, 2001, of the County Legislature entitled "Establishing the Policy of the County of Ulster with Regard to Project Labor Agreements for Construction Projects in Excess of \$1,000,000.00" sets forth a policy regarding the use of a project labor agreements for construction projects where the estimated total of contracts for an individual project is anticipated to exceed \$1,000,000.00, and

WHEREAS, pursuant to the policy set forth in the above referenced resolution, the Ulster County Purchasing Agent as well as that appropriate department head shall explore and consider the use of a project labor agreement using specific factors that are set forth in the above resolution, and thereafter make a report and recommendations to the County Legislature as to the feasibility of using a project labor agreement, and

WHEREAS, pursuant to the policy set forth in the above referenced resolution, the decision as to whether or not to ratify recommendations made by the Purchasing Agent and the department head as to the use of a project labor agreement for a specific project in excess of \$1,000,000.00 is that of the Ulster County Legislature, and

WHEREAS, a capital construction project anticipated to exceed \$1,000,000.00 has been approved by the Ulster County Legislature for the purpose of constructing additions to the Gymnasium and Science Building at Ulster County Community College, and

WHEREAS, Ulster County Community College has retained an architect and a construction manager to design and manage the construction of the above referenced project, namely JMZ Architects and Planners and BBL Construction Services, LLC, and

WHEREAS, five prime construction contracts are anticipated to be bid for the purpose of general work, plumbing, mechanical, electrical, and gym flooring contracts, and

WHEREAS, Ulster County Community College has a budget of \$3,299,838.00 for the construction project referenced herein, and

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WHEREAS, it is anticipated that work for this project will commence after graduation at Ulster County Community College sometime in May of 2007 or shortly thereafter; and

WHEREAS, proposed contracts for the work for this project have recently been submitted to the Ulster County Contract Manager for review and approval, and

WHEREAS, Ulster County Community College, through its Dean of Administration and College Attorney, as appropriate department heads, have considered and explored the use of a project labor agreement and have recommended to the Ulster County Legislature in a letter dated March 13, 2007, to the Hon. David B. Donaldson from William J. Ryan, Jr., Esq., a copy of which is annexed hereto and made a part hereof, that no project labor agreement be sought with respect to the above referenced project, and

WHEREAS, the Ulster County Purchasing Agent, has reviewed the opinions and recommendations of Ulster County Community College, and has advised the office of the Ulster County Attorney, in a memorandum dated March 14, 2007, a copy of which is also annexed hereto and made a part of this resolution, that the Purchasing agent concurs with these opinions, and

WHEREAS, the Hudson Valley Buildings and Trade Council will accept the implementation of apprenticeship language into the bid specification and bidding documents in lieu of a Project Labor Agreement, and

WHEREAS, the Ways and Means Committee has met and reviewed the recommendations of Ulster County Community College and the Purchasing Agent with a majority of members voting approval, and

WHEREAS, the Ulster County Legislature has reviewed the recommendations of Ulster County Community College and the Purchasing Agent.

RESOLVED, that the Ulster County Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.15(c)(20) and (27) of Title 6 of the New York Code Of Rules And Regulations (NYCRR) and within the meaning of Section 8-0109(2) of the New York Environmental Conservation Law as promulgation of regulations, rules, policies,

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procedures and legislative decisions in connection with continuing agency administration, management and information collection, and therefore, that pursuant to NYCRR 617.6(a)(1)(i), the County has no further responsibilities under SEQRA with respect to this matter, and

FURTHER RESOLVED, that is hereby determined by the Ulster County Legislature that recommendations of Ulster County Community College and the Purchasing Agent are hereby ratified,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 30 NOES: 1
(NOES: Legislator R.A. Parete)
(Absent: Legislators Every and Felicello)

FINANCIAL IMPACT:
NONE

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