



Testimony of Felice Farber
Director, External Affairs
The General Contractors Association of New York
June 18, 2014

NYC Council Committee on State and Federal Legislation
A10021-B/S7849-A: An Act Relating to Joint Bidding on Contracts for Public and
Private Work

Thank you Council Member Koslowitz and members of the committee for the opportunity to comment today. I am Felice Farber Director of External Affairs for The General Contractors Association of New York. The GCA is opposed to A10021-B /S7849-A, a bill before the council today for a home rule message. We strongly urge the Council to table this bill as there was not sufficient opportunity to fully vet this bill. A10021-B/S7849-A was first introduced last week.

The General Contractors Association of New York is the trade association representing the unionized heavy construction industry in New York City. GCA members build New York's building foundations and public works infrastructure.

We are deeply concerned about the age and condition of New York City's infrastructure and the high profile infrastructure failures such as the water main break at 14th street and the tragic gas main explosion in Harlem that resulted in the loss of life. Both of these incidents involved infrastructure components that were each more than 100 years old. The age and condition of New York City's subsurface infrastructure, which was thoroughly described in the Center for an Urban Future's report *Caution Ahead*, would not be resolved by joint bidding of public and private work covered by A10021-B /S7849-A nor would these recent failures have been prevented by joint bidding.

To address the conditions of New York's street and subsurface infrastructure, the city must make a planned and concerted effort to increase the level of funding for full road reconstruction projects including the city's subsurface infrastructure. Not only is the level of investment insufficient to keep pace with the rate of deterioration but the funding levels for

DOT and DEP are not consistent, providing DOT with insufficient funding to keep pace with DEP's available funding for water and sewer replacement projects. Joint bidding will not increase the amount of available funding for infrastructure projects nor will it save any money.

Joint bidding was sought a number of years ago by the City to avoid the situation where projects were unreasonably delayed while private contractors negotiated with private utilities to perform utility relocation work. This situation is no longer the case as contract provisions were added to the city contract that set forth the negotiation and dispute resolution process with the utilities. Current work connecting the trunk and feeder mains to the third water tunnel is moving well without joint bidding. These projects are moving forward with minimal impact on the surrounding communities and are on-time and on-budget.

A10021-B /S7849-A also does not set forth how contracts would be bid. The bill does not address any of the issues that have been the subject of much litigation in the City over the past twenty years. Many of the project delivery issues have been addressed by contract and we are hopeful that we can sit down the Department of Design and Construction and explore additional measures to help streamline project delivery.

Therefore we strongly urge the council to table this bill and allow an opportunity to streamline project delivery.

STEPHEN J. CASSIDY
President ENG. 236

JAMES M. SLEVIN
Vice President LAD. 7

LEROY MCGINNIS
Recording Secretary ENG. 266

ROBERT STRAUB
Treasurer ENG. 45

GERARD FITZGERALD
Health & Safety Officer
Sergeant-at-Arms Eng. 318



OF GREATER NEW YORK
Local 94 I.A.F.F. AFL-CIO
204 EAST 23rd STREET, NEW YORK, N.Y. 10010
(212) 683-4832
www.ufanyc.org - @ufanyc

JOHN KELLY
Brooklyn Trustee
Chairman of the Board ENG. 201

EDWARD BROWN
Bronx Trustee LAD. 48

MATTHEW DESJARDIN
Queens Trustee ENG. 325

ERIC BISCHOFF
Staten Island Trustee ENG. 161

VINCENT SPECIALE
Manhattan Trustee ENG. 55

STEVEN TAGLIANI
Fire Marshal Representative

Testimony is support of SLR A.9059 (Abbate)/S.7664 (Golden)

June 18th, 2014

Committee on State and Federal Legislation

Good morning. My name is Jim Slevin and I am the Vice President of The Uniformed Firefighters Association (UFA), which represents 22,000 active and retired Firefighters, Fire Marshals, Wipers, Pilots and Marine Engineers. The UFA strongly supports this legislation. This legislation would provide that a representative holding the title of Pilot or Marine engineer appointed by the President of the UFA, be entitled to cast one half vote on the New York Fire Department Pension Fund subchapter two Board of Trustees. In 2012 FDNY Pilots and Marine Engineers voted to end their affiliation with the Marine Engineers Benevolent Association ("MEBA") and are now members of the Uniformed Firefighters Association of Greater New York pursuant to the decision and certification of the New York City Office of Collective Bargaining, Board of Certification. The bargaining certificate for the titles of Pilot and Marine Engineer are now held by the UFA. There is no longer a president of MEBA that is eligible to sit as a trustee on the pension fund. As a result, the one-half vote on the New York Fire Department Pension Fund Subchapter Two Board of Trustees that was previously held by the President of MEBA should now be held by a Pilot or Marine Engineer appointed by the President of the Uniformed Firefighters Association of Greater New York. This amendment to subdivision 10 of Section 13-316 would accomplish that change. There is no fiscal impact with this legislation.

For these reasons the Uniformed Firefighters Association urges the NYC Council to support this home rule request.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Felice Farber

Address: _____

I represent: The General Contractors Assoc of

Address: NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition SLR

Date: _____

(PLEASE PRINT)

Name: Jim Skerwin

Address: 204 E 73rd St

I represent: Uniformed Firefighters Assoc

Address: S/A

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

~~☒ in favor~~ ☒ in opposition

Date: 6/18/14

(PLEASE PRINT)

Name: Laura Imperiale

Address: _____

I represent: Tully Construction Co

Address: 127-50 No. Blvd

Flushing, Queens

Please complete this card and return to the Sergeant-at-Arms