

Amending Resolution No. 319 Of 2001, Amending The Policy Of The County Of Ulster With Regard To Project Labor Agreements

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Greene, Litts, Loughran, and Maloney), The Government Efficiency and Review Committee (Chairman J. Parete and Legislators Belfiglio, Briggs, Greene, and R. Parete), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Bartels, Belfiglio, Briggs, Maio, and Maloney)

Legislator John R. Parete offers the following:

WHEREAS, Resolution No. 319 of October 11, 2001, established a County policy requiring the Purchasing Director and relevant department heads to explore the use of a Project Labor Agreement for construction projects over \$1,000,000; and

WHEREAS, after consideration of research, studies and discussions with various labor organization representatives it has been determined that the \$1,000,000 threshold should be increased; now, therefore be it

RESOLVED, that, **unless otherwise waived and/or modified per the conditions herein established**, it is the policy of the County of Ulster that in all construction projects where the estimated total of construction contracts for an individual project is equal to or exceeds ~~\$3,500,000.00~~ **\$5,000,000.00**, and the project requires the services of three or more contractors for completion, the Purchasing Director and appropriate Ulster County Department Head shall initiate a Due Diligence Study to explore and consider using project labor agreements to reduce construction costs, avoid delay claims, and potential litigation, when the use of a project labor agreement is rationally based upon reasons in the public interest promoted by the competitive bidding statutes; and, be it further

RESOLVED, upon completion of each Due Diligence Study, the findings of said study and recommendation of the Purchasing Director and appropriate Ulster County Department Head shall be filed with the Clerk of the Legislature; and, be it further

RESOLVED, that each recommendation of the Purchasing Director and appropriate Ulster County Department Head shall be subject to review and ratification by the Ulster County Legislature; and, be it further

RESOLVED that, the Purchasing Director may request that the terms of this policy be waived or modified for a specific project on such terms as may be agreed upon by the Chair and Deputy Chair of the Legislature's Ways and Means Committee. Any such request shall be submitted in the form of a memorandum from the Purchasing Director submitted to the Clerk of the Legislature which shall include any supporting material justifying any deviation from this policy; and be it further

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RESOLVED, that the ~~\$3,500,000.00~~ **\$5,000,000.00** threshold contained herein shall be reviewed and amended as deemed necessary by the appropriate Standing Committee of the Ulster County Legislature; and, be it further

RESOLVED, that this policy shall not preclude the Legislature from requiring the initiation of a due diligence study for projects under \$5,000,000.00 via resolution; and, be it further

RESOLVED, that the Ulster County Project Labor Agreement Policy of the County of Ulster, as amended and set forth in this resolution, shall take effect immediately upon the adoption of this resolution,

and move its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Bartels)

Postponed in Committee: Public Works and Capital Projects on September 6, 2017

Passed Committee: Public Works & Capital Projects as amended on October 4, 2017

Passed Committee: Government Efficiency and Review on October 16, 2017

Postponed in Committee: Ways and Means on October 17, 2017

Postponed in Committee: Ways and Means on November 8, 2017

Postponed in Committee: Ways and Means on November 14, 2017

Passed Committee: Ways and Means as amended on December 19, 2017

FINANCIAL IMPACT:

NONE

