



REGIONAL ALLIANCE

N O T E S

SUMMER 2014

A PUBLICATION OF THE REGIONAL ALLIANCE FOR SMALL CONTRACTORS, INC.

The Regional Alliance for Small Contractors, Inc., the premier construction industry partnership led by major construction firms and public agencies that support and advocate industry participation by minority and women-owned business enterprises

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Look Ahead:
22nd Annual Awards Luncheon



March 6, 2014

The Honorable Andrew M. Cuomo
Executive Chamber
Albany, NY 12224

Dear Governor Cuomo:

The Regional Alliance for Small Contractors (RASC) joins many associations, small and large businesses, developers, insurers, contractors, subcontractors, municipalities, public agencies and taxpayers in urging reform of New York State Scaffold Law 240. RASC is a 24 year-old NYC public-private partnership 501(c)(3) led by major construction firms in the downstate region. Our mission is to increase the representation of minorities and women in the ownership, management, and workforce of construction and related industries.

The current standard for New York State Scaffolding Law 240 is **"absolute liability."** As settlements are virtually guaranteed, the law generates an astounding number of expensive claims

and lawsuits. More than half of the most expensive New York settlements in 2012 were the result of the scaffold law, and the number of lawsuits have increased by 500% since 1990, despite a decreasing rate of injuries. Because of this, the cost of insuring construction projects in New York State is as much as 10 times higher than other states. Those seeking to amend the law call for a new standard **"comparative negligence."** This change would require a jury or arbiter to consider whether the liability of the defendants (owner/contractor) and thus the amount of the damages, should be reduced for cases in which the workers negligence or failure to follow safety procedures contribute to an accident.

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Regional Alliance Contractors' Clearinghouse

The Regional Alliance held its 13th Annual Contractors' Clearinghouse on March 20th at the Con Edison headquarters building in Manhattan. RASC partner Con Edison has hosted this annual event since its inception. Guests and exhibitors streamed in early, and quickly got acquainted. The day's formal program began with a hearty welcome from RASC Executive Director, Earle J. Walker, who then introduced Lore de la Bastide, Vice President of Purchasing at Con Edison. "We have enjoyed a strong working partnership with RASC and the Contractors' Clearinghouse has led to a good number of Con Edison contracts with its members," she affirmed.



RASC 13th Annual Contractors' Clearinghouse audience

Ms. de la Bastide went on to cite some of these firms by name which included RASC Corporate and Charter Club Members, Ferreira Construction Co., Inc.,

Attri Enterprises, Inc., Deborah Bradley Construction & Management Services, Inc., and Park Avenue Building & Roofing Supplies, LLC.

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Executive Director's Note



Earle J. Walker

*Executive Director
Regional Alliance
for Small Contractors*

also encourages M/WBEs to participate in agency-funded private sector projects and partner with the developer community in this effort. In some instances the City and State may require additional measures to make or exceed M/WBE goals for these private sector projects. These would include a strong outreach program, an extensive database of fully qualified M/W/LBEs, and the addition of an experienced M/WBE program manager. Additional monitoring and managing practices would include mandatory submissions of M/WBE participation plans and guidelines, developers directing their construction representatives to develop sustainable M/WBE programs during the design phase of the project, and monthly review meetings by agency staff and/or skilled M/WBE consultants concerning M/WBE participation.

Rest assured that RASC will continue to monitor these developments of particular importance to the development of small, minority and women contractors and continue to advocate on behalf of significant M/WBE participation in the public and private sectors.

Earle J. Walker

A year after the issuance of Executive Order #8, Article 15-A, and declaration of a 20% M/WBE procurement goal for all NYS state agencies and authorities, Governor Andrew M. Cuomo announced that the goal had been exceeded with 21.06% (\$1.48 billion) M/WBE participation in fiscal year 2012-13. "I applaud the dedication of the men and women from the public and private sectors who worked tirelessly as members of our M/WBE Team to level the playing field for thousands of small businesses and open the door to greater economic activity and job growth," Governor Cuomo stated. Accountability and compliance among the executive agencies and authorities were paramount to the success of the Governor's program. After months of detailed engagement and monitoring, the State secured Master Goal Plans from 100% of state agencies and authorities. Agency heads and commissioners are now actively involved in the management of their M/WBE programs and the Executive Chamber team provides the strategies to ensure accountability.

Recently in New York City, Scott Stringer, NYC Comptroller, appointed Carra Wallace as first-ever Chief Diversity Officer to his office. One of Ms. Wallace's first priorities is to implement and monitor a letter-grading program, providing the

public with clear easy to understand data on whether City public agency goals for M/WBE contracting are being met. We hope that Mayor de Blasio, who rated M/WBE goal attainment an "F" in the previous City administration, will provide the top-down leadership to ensure the cooperation of city agency commissioners to attain or exceed these goals.

In addition, with the proliferation of private sector construction projects in New York City, the new administration should encourage M/WBE participation in this bonanza. New York City's Uniform Land Use Review Procedure (ULURP), an integral process that green lights development projects throughout the City, could prove helpful in this effort. ULURP moves projects through the Department of City Planning, local Community Boards, Borough President Offices, Borough Boards, and the City Planning Commission. After approval by the City Planning Commission the projects proceed to the City Council for approval and if passed, to the Mayor. It is in the early stage of Community Board review that M/WBE participation concerns can be addressed in negotiations or in the form of Community Benefit Agreements (CBA).

Statewide, the NYS Homes and Community Renewal Office of Fair Housing & Equal Opportunity (OFHEO)

roads and bridges, environmental and other social infrastructure.

In addition, these added insurance costs disproportionately threaten the viability of M/WBE firms in New York State that are just getting their sea legs. A case in point, the New York City School Construction Authority indicates that its liability insurance costs for 2014 would nearly equal its insurance costs for the three-year period from 2011 to 2013. The NYC School Construction Authority has the most successful Mentor and Minority and Women Business Enterprise programs in the nation –awarding over \$1.7 billion in construction contracts to more than 800 M/WBE companies over the last decade. The Port Authority of NY & NJ, the MTA and the Dormitory Authority of NYS have strong M/WBE participatory programs and will likely

face hundreds of millions of increased insurance costs over the next few years. These exemplary M/WBE programs, and the jobs they create, are in jeopardy without reform.


As Governor you have indicated openness to discussing reforms for the scaffold law. A new 'comparative negligence' standard for the NYS Scaffold Law would balance the needs, and significantly reduce the costs, of all parties involved.

Sincerely,

Jay Badame

*RASC Chairman,
President & COO
Tishman Construction Corp.*

Earle J. Walker

RASC Executive Director 

Continued from Cover

RASC Letter to Governor Cuomo

As a result of Scaffold Law 240, insurers have raised deductible rates and premiums significantly with the addition of strict underwriting guidelines. Even so, most insurers are now reassessing their ability to write contracting business profitably in the state. Conservative estimates indicate that insurance costs for New York State projects affected by the scaffold law are 8-10% of construction costs versus 2-4% in other states.

As an example of the cost impact this law currently has on projects, if five percent of additional costs go towards insurance that would mean that \$1 billion of the \$20 billion that the New York Works Task force says New York State will invest in capital projects will be going towards unnecessary insurance costs. That is \$1 billion that could be invested in repairing and rebuilding

CHARTER MEMBER PROFILE

Permasteelisa North America Corp.



Regional Alliance Charter Club Member Permasteelisa North America Corp. has the distinction of cladding the tallest residential tower in the Western hemisphere with a futuristic curtain wall. The rippling Frank Gehry designed 850 ft. Beekman Tower, just south of New York City Hall, has already achieved landmark status. This distinctive work is typical of Permasteelisa North America Corp., a subsidiary of Italy's Permasteelisa Group, which also built the curtain wall for Bank America's One Bryant Park headquarters building in New York City, the 95-floor Trump Hotel and Tower, Chicago; and the Walt Disney Concert Hall in Los Angeles.

Permasteelisa utilizes its engineering and design centres to develop new visual concepts, construction systems and technologies. Eleven Permasteelisa manufacturing plants guarantee and consistently improve the quality of its products, while the company employs innovative materials to ensure the best performance of these products for varied projects. "We provide a turn-key approach from curtain wall custom design systems, fabrication and assembly, to complete installation," states Alberto Franceschet, Permasteelisa's Engineer Manager.

Permasteelisa has received **ISO 9001** certification for Design Engineering, manufacturing and installation of prefabricated architectural envelopes (curtain walls, roofs, and steel structures) and **ISO 14001** certification for environmental management systems.

A key success factor is the company's ability to convert the most innovative architectural concepts into practical solutions, practicable in both technical and economic terms. For this reason, many architects invite the firm to participate in the earliest stages of the design phase. Permasteelisa also utilizes Mock-up/Test Rigs to determine the performance of their curtain walls in compliance with the client's specifications, together with in-house tests to determine innovative design solutions and support further research and design projects.

Intelligent Facades

Permasteelisa provides intelligent curtain walls, custom made for the largest projects. Facades filter light, decrease acoustic pollution, and save heat from the sun for winter heating or summer ventilation. Buildings are capable of generating power through photovoltaic cells. Mr. Franceschet states, "One of our research and development goals is to develop a production line of Dye-

Sensitized Solar Panels which use light-sensitive "organic" pigments, mimicking photo-synthesis, and also employ new nanotechnologies for our curtain walls." The cost of these latter generation solar panels rivals that of fossil fuels like oil and gas, while exceeding the efficiency and durability of inorganic silicon solar panels which presently lead the market.

Interiors

Permasteelisa was first established in the United States in 1997 as an interior operation specializing in the turn-key service of interior fit-out of retail stores and commercial spaces. Since that time, the firm has completed a significant number of projects including restaurants, offices, showrooms, and more than 2000 retail stores. The firm counts a number of renowned retailers as clients, such as Brooks Brothers, Tumi, Bally, Ermenegildo Zegna, Louis Vuitton and Geox. "As with our curtain wall operation, we developed a meticulous approach to interiors which features store design and planning, construction and project management. This includes store fixture design, manufacturing, distribution, installation, store support, and after sales," says Mr. Franceschet.

For Permasteelisa, beauty is more than skin deep. 🌿

Continued from Cover

2014

Contractors'

Michael Jones-Bey, Con Edison's Director of Supplier Diversity Program, followed Ms. de la Bastide and explained his ambition to build upon Con Edison's successful record of utilizing minority and women businesses in its procurement process. "My goal is to foster minority and women enterprise (M/WBE) relationships with Con Edison that lead to contracts of increasing size and complexity," affirmed Mr. Jones-Bey.

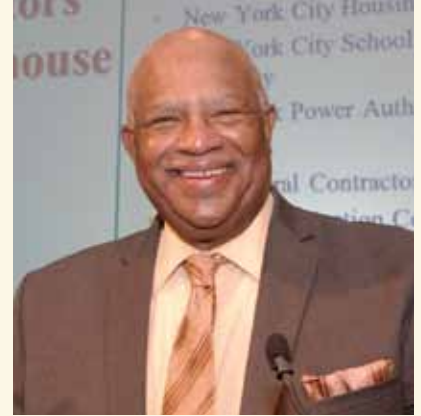
Mr. Walker then introduced the day's Clearinghouse panel, Lash Green, Director of Office of Business Diversity & Civil Rights, Port Authority of NY & NJ, Leotis Sanders, NJ Transit Vice President of Civil Rights & Diversity Programs and his colleague Lisa Marie Codrington, Director, Contract Compliance. Each panelist provided an overview of their agency's programs on behalf of M/W/SBEs and DBEs. Long-time veteran Lash Green provided some impressive statistics concerning the Port Authority's program. He stated, "During construction of the new World Trade Center complex M/WBEs were awarded \$2 billion contract awards thus far, with an estimated \$3.3 billion economic impact, while over 8,500 jobs were created for minority and women workers. Mr. Green also noted the Port Authority's capital budget over the next ten years of \$27.6 billion with an estimated M/WBE goal of \$4.7 billion.

NJ Transit's Leotis Sanders pointed out that the oft-overlooked Federal Disadvantage Business Enterprise (DBE) certification featured a 17% program participation goal in the State of New Jersey, inclusive of Hurricane Sandy funds. "Our Office makes the DBE certification process fairly easy, positioning firms to take advantage of contracts in this lucrative area for a state that does not have M/WBE goals," Mr. Saunders added. Mr. Saunders team member, Ms. Codrington went on to enthusiastically spell out the "one voice" method of assisting DBEs to access work at NJ Transit. "Internally, the Business Diversity and Civil Rights Office works closely with NJ Transit engineers and project managers to create DBE contract opportunities. Then in the Pre-Bid/Pre-Proposal Conference, we facilitate the interaction of DBEs, prime contractors, project teams, and engineers, so that everyone is on the same page," asserted Ms. Codrington.

After the presentations, contractors renewed networking with the 34 exhibitor teams in earnest, until the noon bell sounded. See you next year! 🌊



Michael Jones-Bey, Director, Supplier Diversity Program & Lori de la Bastide, Vice President of Purchasing, Con Edison



Earle J. Walker, RASC Executive Director



Stacy Simpson, Program Administrator; Paul Skretkowitz, Administrator; Sonia Walkes, Senior Analyst, Con Edison Supplier Diversity Program



Dana Buoniconti, Marketing Coordinator & Howard Chynski, Vice President, Marketing & Business Development, HAKS

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RASC Clearinghouse



Shinay McNeil, Project Associate & Anthony Peterson, Director of Diversity Programs, Hugh L. Carey Battery Park City Authority; Phil Mason, Purchaser, Battery Park City Conservancy



Hector Rodriguez, Affirmative Action Officer; Shanae Barnes, Affirmative Action Manager, Tishman Construction Corporation (an AECOM Company)



Lash Green, Director, Office of Business Diversity & Civil Rights, Port Authority of NY & NJ; Earle J. Walker, RASC Executive Director; Lisa Marie Codrington, Director of Contract Compliance & Leotis Sanders, Vice President of Civil Rights & Diversity Programs, NJ TRANSIT

Sponsors

Con Edison

Delta Air Lines, Inc.

New Jersey Transit

**Port Authority
of NY & NJ**

**Tishman Construction
Company**

Co-Sponsors

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**NYC Housing
Authority**

**NYC School
Construction Authority**

STV Incorporated

**The General Contractors
Association of NY**

**Turner Construction
Company**

Celebration of Life



Basil A. Paterson

April 27, 1926 – April 16, 2014

The Regional Alliance honors the Honorable Basil A. Paterson who passed away at the age of 87 on April 16, 2014. Paterson dedicated his long life to public service where he served as President of the NAACP (NYC Branch), ran for NYS Lieutenant Governor in 1970, elected Vice Chairman of the Democratic National Committee in 1972, named NYC Deputy Mayor for Labor Relations and Personnel in 1978, and appointed New York Secretary of State in 1979. His is a record of firsts, forging a broad path for younger generations of minority political leadership. We extend our condolences to his wife of 61 years, Portia E. Paterson, two sons, Governor David A. Paterson and Daniel A. Paterson, daughter-in-law, Eloise, and five grandchildren. 🌿

Welcome

New Regional Alliance

Board of Director

Deborah Bradley!



Ms. Deborah Bradley, President of Deborah Bradley Construction & Management Services, Inc., joins the Board of Directors of the Regional Alliance for Small Contractors. Ms. Bradley has more than 20-years of experience in all aspects of the construction industry. Her firm specializes in completing fast-track projects and working in complex, occupied facilities. Her client roster includes: NYC Economic Development Corporation, NYC School Construction Authority, Columbia University, the Central Park Conservancy, Dormitory Authority of the State of New York, Metropolitan Transportation Authority, Con Edison, Delta Air Lines, and the Hugh L. Carey Battery Park City Authority. 🌿

Congratulations and Best Wishes to Donna Tucker

RASC, Chief of Staff

'Top Women in Business' Honoree



"Today the people of Queen's will come together to celebrate some of the hard-working women who have distinguished themselves as leaders in their fields and made an important difference in their communities."

NYC Mayor Bill DeBlasio 🌿

Help Wanted

RASC seeking Instructors for Managing Growth® Program

Candidates should be accredited and have demonstrable experience in construction management, estimating, blueprint reading etc.

Please contact Paola Camargo, RASC Manager for Training Programs

212-268-4933, pcamargo.rascny@verizon.net

Progress Report Delta Air Lines Terminal 4 Redevelopment and Expansion Project

JFK International Airport

On May 17, 2013, RASC hosted an M/WBE outreach event to inform contractors of contracting opportunities for Phase 2 of Delta Air Lines Terminal 4 Redevelopment and Expansion Project at JFK International Airport. As of March 2014, \$102,006,450 in contracts have been awarded in Phase 2. MBE prime and subcontractors account for \$20,233,367 (19.84%) of these awards and WBE prime and subcontractors received \$10,280,616 (10.08%). Additionally, Local Business Enterprises (LBEs) obtained \$5,153,612 worth of contracts.


Minority workforce participation through March, 2014 stood at 27% skilled and 66% for laborers, while female workers posted 3.2%.

The \$1.4 billion Phase 1 & 2 Delta Air Lines JFK Terminal 4 Redevelopment and



Expansion Project have seen M/W/LBEs receive \$195 million contract awards thus far. Phase 1 expanded the terminal from 1.5 million to 2 million square feet, features a centralized security checkpoint, reorganizes concessions post-security, adds nine wide body gates and seven renovated international gates, and has a new inline baggage system, an indoor taxi dispatching area and new baggage claim carousels. In addition, Delta JFK Terminal 3 has been demolished making way for a parking zone for aircraft that cannot be accommodated or are not needed at gates of Terminals 2 and 4, both of which are also used by Delta.

Idle aircraft used to be towed across the airport. The new aircraft parking area will enable operational efficiencies, allowing planes to access the gates more quickly.

The \$180 million Phase 2 expansion, expected to be completed in 2015, brings 11 new Regional Jet Gates and 75,000 more square feet in Concourse B. The project transitions the facility from a fully common-use terminal to a common-use terminal with Delta Air Lines as its anchor airline tenant. In 2012, Terminal 4 was home to about 30 international and domestic airlines and served nearly 11 million passengers. 

RASC's New Website




Keeping up with the times is a full time job as many organizations across the public and private sectors can attest. In this vein, the Regional Alliance is pleased to unveil its new, improved website. Our user-friendly site will enable visitors to easily acquire timely Managing Growth® course listings, calendar dates, prompt

registration, and payment via PayPal. Upcoming contract opportunities and contact information will be accessible under our Contract Compliance and M/WBE Management Program Page. In addition, the RASC Notes Newsletters are available for perusal as is the current RASC Membership Brochure.

The website features a new branding area and rotating banner, displays all important content on the home page, clear distinct navigation with simple menus and sub menus, and enhanced social media links and feeds with Facebook, Twitter and LinkedIn. Additional features include video link capability and a Content Management System for a consistent image and easy maintenance.

Additional features include:

- Improved website visibility in search engines
- Prominent access to Charter Club Membership
- Mobile Friendly Service
- Quickload Access
- Convenience Links on every page

RASC invites you to inspect the site and kick the tires!
www.Regional-Alliance.org 

LOOK AHEAD

22nd Annual Awards Luncheon

Please join us on

Friday, September 26, 2014

Location: The Lighthouse
Pier Sixty @ Chelsea Piers
New York City

RECEPTION

11:30 A.M.

LUNCHEON

12 NOON – 2:00 P.M.

BUSINESS ATTIRE

For Sponsorship Information, Tables, Single Tickets and Journal Advertising

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FOR
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Building Tomorrow's Partnerships Today!

