

HARRISON ENGINEERING DEPARTMENT

Town/Village of Harrison
Alfred F. Sulla, Jr. Municipal Building
1 Heineman Place
Harrison, New York 10528

Michael J. Amodeo, P.E., CFM
Town/Village Engineer



September 11, 2023

Supervisor Richard Dionisio and
Members of the Town Board
Town of Harrison
1 Heineman Place
Harrison, New York 10528

E-16

**Re: New Recreation Center
Project Labor Agreement Feasibility Study**

Dear Supervisor Dionisio and Members of the Town Board:

Town Board authorization is requested to hire Hill International, Inc. for consulting services for a Project Labor Agreement (PLA) feasibility study for the New Recreation Center, at a cost not to exceed \$18,000.00.

The scope of services is detailed in the attached proposal.

Funding for this contract is available in the Capital Account # 17RE15, New Recreation Facility.

Further, authorization is requested for the Purchasing Department to issue a Purchase Order payable to Hill International, Inc. at an amount not to exceed \$18,000.00.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael J. Amodeo", is written over a horizontal line.

Michael J. Amodeo, PE, CFM
Town/Village Engineer

MJA/mep

Attachments



Hill International, Inc.
One Commerce Square
2005 Market Street, 17th Floor
Philadelphia, PA 19103
Tel: 215-309-7700
www.hillintl.com

September 6, 2023

Megan Pierroz
Assistant Engineer
Town/Village of Harrison
1 Heineman Place
Harrison, NY 10528

**Subject: Project Labor Agreement Services
Harrison Recreation Center**

Dear Ms. Pierroz:

As per our discussion, Hill International, Inc. (Hill) is pleased to submit our proposal to provide consulting services to Harrison for a Project Labor Agreement (PLA) feasibility study for the Recreation Center Project with an estimated cost of \$15-20 million.

Hill has provided similar PLA support services for more than 100 public and private capital construction projects totaling over \$60 billion in construction costs. The first of these projects was a PLA feasibility study conducted by Hill in 1994 for the New York State Thruway Authority (NYSTA) involving a \$130 million rehabilitation of the Tappan Zee Bridge. Hill was tasked with determining, through negotiations with the Building and Construction Trades Councils, local unions, and other appropriate parties if a PLA would be feasible and appropriate for the construction. Hill's study identified and quantified cost savings estimated in excess of \$6 million. Hill subsequently led negotiations of the PLA, as approved by the NYSTA Board of Directors.

In response to a legal challenge, Hill subsequently participated in defense of the PLA throughout the litigation. A report prepared by Hill was frequently cited and relied upon by the New York Court of Appeals in its 1996 opinion upholding the PLA. This decision remains the law of New York and is often cited with approval by both Federal and State Courts. PLAs have been upheld in every jurisdiction in which they have been challenged.

Hill is currently and has recently worked with several New York public owners seeking PLA services, including:

- State University of New York (SUCF)
- New York State Department of Transportation

**DELIVERING THE
INFRASTRUCTURE
OF CHANGE**



- City of New York (Mayor's Office of Contract Services; all city-owned buildings)
- City University of New York (CUNY)
- Erie Community College
- New York State Office of General Services
- Port Authority of NY and NJ, World Trade Center
- Convention Center Development Corporation (Jacob Javits Center)
- New York City Department of Design and Construction
- Dormitory Authority of State of New York
- NYS Parks & Recreation
- New York State Thruway Authority

Hill's experience with the numerous and varied public projects utilizing PLAs over the past 25 years is unrivaled, and our PLA professionals are veterans of many New York State Public Agency PLA projects. Hill has developed a methodology for the conduct of the feasibility study, the labor analysis, the construction history, and the unique requirements of a particular project. Furthermore, we have developed computer models for determining the dollar amount of cost savings through standardization of union work rules and practices. We are thoroughly familiar with the law regarding PLAs, and with the factual situations associated with cases in which PLAs have been challenged. We have recommended both for and against the utilization of a PLA based upon findings on a case-by-case basis.

We have participated in every aspect of the PLA process, from the feasibility and economic benefits study, the labor analysis, the negotiations, to the drafting, approval, execution, implementation, and administration. This includes co-chairing with the Presidents of various Building & Construction Trades Councils Labor Management Committees on numerous projects in New York and New Jersey. Hill has also participated in the defense of several legal challenges to PLAs and has provided testimony at trial in defense of these studies. Hill has been cited often in court decisions upholding PLAs and, to date, no PLA project in which Hill has participated has been successfully challenged in court; nor has any PLA project been terminated for default, convenience, or for any other reason.

A representative list of PLA projects in which Hill has participated is included in attached resumes attached hereto.

SCOPE OF SERVICES

STUDY METHODOLOGY AND APPROACH

Upon receipt of the Notice to Proceed, Hill will:

- Review local labor environment with emphasis on recent bidding profiles (union vs. non-union); construction experience in large and small public works projects with PLAs or without PLAs; experience in compliance with the enforcement of Prevailing Wage Laws and other DOL requirements; time, place, nature of any labor conflicts or disruptions, if any.
- Perform an analysis of the available appropriate labor organizations which would provide the work force required, in terms of numbers and crafts/skills to man the project,

as well as, meet specific skilled labor requirements in the event of manpower shortages during construction. Identify any projected skilled trade shortages.

- Review the size and number of any major construction projects, if any, which might be in progress during the same construction time frame and thus, draw workers from the same manpower pool.
- Review with Town/Village and County officials, Design Officials and/or CM staff project scope and schedules to determine the size and number of phases and/or bid packages; their sequencing; what if any, time constraints exist; and the projected use of second and/or third shifts, irregular shifts and/or four ten-hour days during construction. Determine if there are any unique characteristics of the Project relative to a PLA. Pricing includes one meeting with project officials.
- Review the collective bargaining agreements of each of the unions that will be involved in the construction. The significant pertinent provisions will be analyzed to determine where they vary and whether they could be standardized within the provisions of a proposed PLA. The term of each agreement will be determined in order to establish how many will expire and require renegotiation during construction.
- Prepare a matrix comparing the relevant provisions of each Local's agreement.
- Review for inclusion in a PLA, all areas of potential standardization or other provisions which might be changed to result in cost savings, other economic benefits and/or standardized dispute resolution procedures. Recommend any such changes.
- Conduct a comprehensive cost analysis by separating the project into its basic contracts or phases. Using engineering/design best estimates, each contract will be separated into basic components including total cost, total labor cost, person-hours, duration, total work months, and workforce size. Utilizing these estimates together with actual and projected prevailing wage rates reflected in the collective bargaining agreements, weighted average wage rates will be calculated and applied. Utilizing the scheduling and shift information provided, estimated cost savings will be calculated by contract, PLA provision, and trade to the extent possible with existing preconstruction data.
- Review secondary objectives such as improved employment opportunities for minorities, women, and economically disadvantaged individuals and enterprises.
- Confer with Town/Village officials, contracting community representatives, labor union representatives, and other stakeholders as required to complete the study.

REPORT

Hill will prepare a report including:

- An analysis of the elements of the study scope as listed above and a determination if a PLA is justified based on the criteria and the interest of NYS competitive bidding laws as well as established case law in New York. Additionally, the analysis will address secondary objectives and how the PLA may or may not facilitate those objectives.
- An Executive Summary, PLA Background, Project Overview, Construction and Labor Analysis, Analysis of Economic Benefits, and Findings/Recommendations sections.

COST PROPOSAL

STUDY AND REPORT

The study and report will be completed for the sum of \$15,330 plus any pre-approved expenses at cost.

ADMINISTRATION (OPTIONAL)

Scope and cost to be provided should service be requested. Upon request, Hill can be available to the parties at all times on an "on call" basis for pre-bid and/or pre-job meetings and during project construction to serve on the Labor-Management Committee and/or as mediator of disputes prior to formal dispute procedures and to interpret provisions of the PLA which may be questioned by a party to the PLA or by an interested third party. We are prepared to present a proposal for the services described in your PLA scope, when requested.

TIME

A Draft Report will be delivered within 45 days, after Notice to Proceed is given.

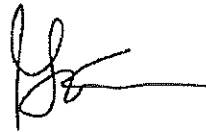
Hill has served as administrator of numerous PLAs including the original Tappan Zee Bridge Project throughout the seven-year duration of that project. During that period, dozens of disputes were resolved through early mediation by Hill independently and/or through the Labor Management Committee.

We look forward to the opportunity to work with the Town/Village of Harrison and appreciate your consideration of Hill to provide PLA services. The resumes of Jim O'Neal, George Gottuso, Project Manager and Tom Bryan, the proposed Hill Project Manager and Chief Estimator, are attached for your information. In the meantime, should you have any questions or require any further information, please feel free to contact George Gottuso at 856-357-0556 or at georgegottuso@hillintl.com.

Sincerely,



Mark Dickinson
Vice President and Operations Manager



George Gottuso
Senior Project Manager

George Gottuso

Project Manager

George Gottuso has more than 40 years of construction experience and in-depth knowledge of PLAs in various markets including government, commercial, and institutional facilities. His expertise includes project labor studies, negotiation and execution of PLAs, as well as implementation and maintenance of PLAs throughout the bidding and construction period. George is also equipped with a high-level of knowledge and experience in various pre-construction and construction support services including program/construction management, contract administration, and procurement.

As Project Manager, George will serve as your primary point of contact, leading our team in the development of the project labor study; Spearheading the negotiation and execution of the PLA with support from PLA Subject Matter Expert Jim O'Neill; and overseeing the implementation and maintenance of the PLA throughout the bidding and construction period. He will also be responsible for monitoring our project budget and schedule, and securing that our resources are assigned appropriately to meet your project goals.

RELEVANT PROJECT LABOR AGREEMENT (PLA) PROJECT EXPERIENCE

- NYSIF Headquarter Renovations & Improvements
- NYSDOT Taconic Parkway Improvements
- NYSDOT Van Wyck Expressway Improvements
- Pittsburgh International Airport Modernization Program
- NYSDOT Cross Bronx Expressway Improvements
- NYSDOT Hunt's Point Improvement Program
- NYSDOT Lower Westchester Bridge Program
- NYSDOT Major Deegan Expressway Improvements
- NYSDOT I-495 Restoration Project
- NYSDOT Gowanus Expressway Repairs
- NYSDOT Wolley-Bradley Avenue Bridges over Staten Island Expressway
- NYSDOT Bridge Replacement 138th Street
- NYSDOT Route 347 Safety Improvements

Additionally, George has provided project and construction management services on many projects throughout the area:

- Rutgers University, Robert Wood Johnson Hospital
- New Jersey Turnpike Authority (NJTA), Multi-Use Building, Swedesboro Maintenance District

Education

BS, Contracting and Construction, Utica College of Syracuse University

Coursework, Public Administration, Rider University

Professional Memberships

Construction Management Association of America

National Association of Home Builders

International City Management Association

American Society for Public Administration

Urban Land Institute Committee

Awards/Honors

ENR Best Projects

CMAA Project Achievement Awards



- Bloom Energy, Red Lion Energy Center, New Castle, DE
- Church of Scientology, Multiple New and Renovation Projects, Nationwide
- SCI Phoenix Construction Management Services, Pennsylvania Department of General Services, Graterford, PA
- Maryland Transit Administration, Control Public Address (PA) and LED Display System Upgrades, MD
- School District of Philadelphia, Capital Improvement Program, Philadelphia, PA
- Amtrak Project Services, American Recovery and Reinvestment Act (ARRA) Projects, Nationwide, Delaware River Port Authority (DRPA), One Port Center Retrofit, Camden, NJ
- New Jersey Schools Development Authority (NJSDA), Trenton, NJ, Design and Construction Claims Director
- New Jersey Schools Development Authority (NJSDA), Trenton, NJ, Land Acquisition Executive Liaison
- New Jersey Schools Development Authority (NJSDA), Abbott Schools Program, Trenton, NJ, Assistant Director of Regional Services
- New Jersey Schools Development Authority (NJSDA), School District of Newark, Abbott Capital Program, Trenton, NJ, Senior Project Officer
- NJSDA, Newark Science Park High School, Newark NJ, Senior Project Officer
- New Jersey Transit (NJTransit), South Jersey Light Rail Station Canopies, Trenton, NJ, Consultant
- Enterprise Rent-a-Car, Facility Rehabilitation and Tenant Fit Out, NJ, General Contractor
- Babyland Family Services Rehabilitation, Newark, NJ, General Contractor

James O'Neill

Project Executive

James O'Neill has over 40 years of experience in legal and professional consulting services to public and private entities across the nation. For the last 25 years, Jim has specialized in all aspects of PLAs and is an industry recognized leader in PLAs. Jim has testified as both an expert and a fact witness in PLA litigation, has participated in numerous professional workshops involving pros and cons of PLAs, and authored "The Case for Public Owner Project Labor Agreements," published in the Wiley 2001 Construction Law Update.

As our PLA Subject Matter Expert, Jim will support George and our team throughout the study and negotiation process. Through Jim's long-standing relationship with the Presidents of the BCTCs, leaders of the respective contractor associations including the Building Trades Employer's Association, Association of General Contractors, and General Contractors' Association, he will maximize that all parties' concerns are quickly resolved.

A select sampling of Jim's extensive PLA experience in New York and New Jersey is highlighted below.

NEW YORK PROJECT LABOR AGREEMENTS

- Dormitory Authority of the State of New York (DASNY), Bronx Children's Psychiatric Center, Bronx, New York
- New York City Department of Design and Construction (NYCDDC), Feasibility Study to Implement PLA's Covering Renovation and Rehabilitation Projects for City Owned Buildings and Structures
- Jacob K. Javits Convention Center PLA
- NYSIF Headquarter Renovations & Improvements
- State University of New York at Buffalo, Educational Opportunity Center PLA
- New York State Office of General Services (OGS), Department of Labor, Schermerhorn State Office Building
- New York City Department of Parks and Recreation, Street Trees Program
- New York City Building & Construction Trades Council (BCTC) and the Building Trades Employers Association (BTEA), PLA Cost Benefit Analysis for Economic Downturn
- New York State Thruway Authority, Tappan Zee Bridge Rehabilitation
- New York State Department of Transportation (NYSDOT), I-287/Cross Westchester Expressway
- Whitehall Ferry Terminal

Education

JD, Law, Georgetown University School of Law

BS, Chemistry and Mathematics, Mount Saint Mary's College

Registrations

US Supreme Court

District of Columbia Bar

U.S. Court of Federal Claims

Professional Memberships:

Labor and Employment Relations Association (LERA)

Publications

"The Case For Public Owner Project Labor Agreements," (Aspen Construction Law Update, 2000)

Seminars

"Project Labor Agreements - Presentation," TRB, Minneapolis, Minnesota, (2000)

"Project Labor Agreements - Innovations or New Predicaments - Seminar," TRB, Washington, D.C., (2000)



- New York City School Construction Authority (NYCSCA) Construction Program
- Clarkstown Central School District (2 schools)
- Mt. Vernon School District (19 schools)
- Pelham Union Free School District (4 schools)
- Kingston Police and Court Facility
- Ulster County Correctional Facility
- New York State Department of Transportation (NYSDOT), Stewart Airport Access Improvements and I-84/I-87 Interchange Reconstruction
- Newburgh Enlarged City School District
- Cornell University School of Industrial & Labor Relations
- New York State Department of Transportation (NYSDOT), NYS Route 17 at Exit 122 Reconstruction PLA
- New York State Department of Transportation (NYSDOT), Patroon Island Bridge and I90 I787 Rehab PLA
- New York State Department of Transportation (NYSDOT), Kosciuszko Bridge Replacement PLA
- New York State Department of Transportation (NYSDOT), NY17/I-81 Interchange Reconstruction Feasibility Study and Economic Analysis
- World Trade Center Transit Hub and Security Center Building PLA Economic Analysis and Study

NEW JERSEY PROJECT LABOR AGREEMENTS

- Driscoll Bridge (Garden State Parkway)
- Washington Township School District
- Atlantic City International Airport
- New Jersey School Development Authority (NJSDA) Numerous Schools
- New Jersey State Police Emergency Operations Center
- Goldman Sachs Office Tower, Jersey City, Project Phoenix

Thomas Bryan

Chief Estimator

Thomas Bryan has 42 years of experience providing cost estimating and pre-construction services for PLA assignments and construction projects. His expertise covers all phases of preconstruction, project management and operations including estimating activities such as cost consulting, planning, risk analysis, budget development, conceptual and schematic project development, Guaranteed Maximum Price (GMP), CM-at-risk, CM agency and lump-sum competitive bidding. In addition, Tom is highly knowledgeable in competitive bidding activities including preparation of scope sheets, contractor solicitations, and risk analysis on bid day, negotiation and award of contracts.

Education

BS, Construction Management
Technology, Spring Garden
College

As Cost Estimating Lead, Tom will oversee the labor costs analysis and construction logistics to maximize on-time, within-budget delivery of your project.

RELEVANT PROJECT LABOR AGREEMENT (PLA) PROJECT EXPERIENCE

- Jacob K. Javits Convention Center PLA
- New York State Department of Transportation - Numerous Critical Infrastructure Projects
- New York State Parks and Recreation
- SUNY/SUCF - Buffalo, Binghamton, and Long Island
- Moynihan Station Development Corporation
- Long Island Railroad - Five year Capital Construction Program
- Sullivan County Jail

U.S. General Services Administration (GSA), Region 3, Green Federal Building Consolidation, Philadelphia, PA, Senior Estimator

Tom is currently providing estimating services for a two-phase repair and alteration project for the approximately 841,000 GSF, ten-story federal office building. The project involves the realignment and reconfiguration of tenant space and multiple building system upgrades and replacements. The project will improve the building's overall utilization through the realignment and implementation of various economical workplace solutions and result in an effective long-term housing solution for the Federal Bureau of Investigation, the Drug Enforcement Administration and the Internal Revenue Service, among other tenants.

Tom's responsibilities consist of participating in the design process through the development and management of cost estimates, conducting value engineering sessions, providing trending and cost control between estimates and participated in project planning at all levels of design during the preconstruction process. We are currently at the pre-GMP level and estimated are within 3% of the current GMP.



U.S. General Services Administration (GSA) Region 5, J.W. Peck Federal Building Restack and Backfill, Cincinnati, OH, Senior Estimator

Tom is currently providing estimating services for the \$30 million renovation of ten-story federal office building. The project involves approximately 230,000 SF to extend the building's useful life and consolidate federal agencies from leased locations within Cincinnati. Tom's responsibilities consist of participating in the design process through the development and management of cost estimates, conducting value engineering sessions, providing trending and cost control between estimates and participated in project planning at all levels of design during the preconstruction process.

Vanguard Group, Vanguard New Morehall Road Building, Malvern, PA

Tom provided estimating services for a new Class A 250,000 SF office building/ call center. The project entails bridges over a roadway to connect buildings on the campus. The office's design is consistent with emerging workplace trends for employee work areas, furniture standards, benching and universal workstations.

U.S. General Services Administration (GSA) Region 5, 985 Michigan Avenue Modernization and Backfill, Detroit, MI, Senior Estimator

Tom is currently providing estimating services as part of Hill's role as CMA for the \$74.9 million modernization of the 985 Michigan Avenue federal office building. The federal office building is 10-stories above grade with a basement and has approximately 484,000 SF in addition to a 10-story parking garage with approximately 850 spaces. Renovation of the building systems includes improvements to the HVAC systems that will result in energy savings, repairs to the passenger and freight elevators, replacement of the roof, repairs to the building's windows and facade, upgrades to the fire alarm and sprinkler systems, repairs to the plumbing system and public restrooms, improvements to the electrical infrastructure, and repairs to the parking garage and site.

Tom's responsibilities consist of participating in the design process through the development and management of multiple cost estimates from program to concept through design phase, conducting value engineering sessions, providing trending and cost control between estimates and participating in project planning at all levels of design during the preconstruction process.

U.S. General Services Administration (GSA) Region 5, Ashley U.S. Courthouse Modernization and Annex, Toledo, OH, Senior Estimator

Tom is currently providing estimating services for the \$104 million project consisting of the modernization and restoration of the existing 93,000 SF historic building which includes infrastructure improvements and security enhancements and construction of a new 96,000 SF annex, which will allow judiciary growth.