

DRAFT FOR DISCUSSION PURPOSES ONLY

DATED September 19, 2016

ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY

LOCAL CONSTRUCTION LABOR POLICY

The mission of the Ulster County Industrial Development Agency (UCIDA) is to advance the job opportunities, general prosperity and long-term economic vitality of Ulster County residents by targeting tax incentives, bonding and other assistance to foster creation and attraction of new business and the retention and expansion of existing business. The UCIDA offers economic incentives and benefits to both large and small qualified businesses owners who wish to acquire, construct, reconstruct, improve, maintain, equip and furnish facilities in Ulster County. When the UCIDA approves a project, it enters into agreements to extend these incentives and benefits to the applicant.

Because construction jobs are vital to the overall employment opportunities in Ulster County, companies benefiting from UCIDA incentive programs, including the general contractor, subcontractor and subcontractor to a subcontractor, should employ local laborers, mechanics, craft persons, journey workers, equipment operators, truck drivers and apprentices (hereinafter "construction workers"), including those who have returned from military service, during the construction phase of projects. In this way, the UCIDA can further generate significant benefits to advance the County's general prosperity. For these and other reasons, it is the policy of the UCIDA to offer greater incentives to that businesses benefiting from UCIDA programs that employ workers from the local labor market during the construction phase.

For the purposes of this policy, the local labor market for construction workers shall be defined as individuals living in Ulster County or contiguous counties. Applicants receiving UCIDA benefits- ~~that shall~~ utilize at least 75% local labor for their approved projects will receive 3 points on the UCIDA UTEP Matrix unless:

- ~~1) Warranty issues related to installation of specialized equipment whereby the manufacturer requires installation by only approved installers;~~
- ~~2) Specialized construction is required and no local contractors or local construction workers have the required skills, certifications or training to perform the work;~~
- ~~3) Significant cost differentials in bid prices whereby the use of local labor significantly increases the cost of the project. A cost differential of 25% is deemed significant. Every effort should be made by the contractor or applicant to get below the 25% cost differential including, but not limited to, meeting with local construction trade organizations and local contractor associations; or~~
- 4) ~~No local labor is available for the project.~~

Applicants receiving UCIDA benefits and contractors on the project shall make every effort to utilize vendors, material suppliers, subcontractors and professional services from Ulster County and the

Formatted: Font: Not Bold

Formatted: Left

Formatted: Different first page header

Formatted: Font: 12 pt

Formatted: Normal, Left, Space After: 0 pt

Formatted: Font: 12 pt

Formatted: Font: (Default) Calibri, Not Bold, Font color: Auto

Formatted: Font: 18 pt

Formatted: Font: Arial Narrow

Formatted: Justified

Formatted: CM7, Justified, Indent: Left: 0", First line: 0", Right: 0.08", Space After: 13.75 pt, Line spacing: At least 13.8 pt

Formatted: Justified

Formatted: Font: Arial Narrow

Formatted: Justified

Formatted: Centered

surrounding counties. Applicants and contractors shall keep records of those local vendors, material suppliers, contractors and professional services who they have solicited and with whom they have contracted with or awarded.

~~The request to secure an exemption for use of non local labor must be received in writing from the applicant. The request will be reviewed by the UCIDA Board who shall have the authority to approve or disapprove the request.~~

Once approved for UCIDA benefits, all applicants who received 3 points on the UCIDA UTEP Matrix will be required to sign an affidavit affirming the use of local labor and to provide to the UCIDA the following information:

- 1) Contact information for the applicant's representative who will be responsible and accountable for providing information about the bidding and awarding of construction contracts relative to the application and project;
- 2) Description of the nature of construction jobs created by the project, including in as much detail as possible, the number, type and duration of construction positions;
- 3) The names, contact information, certificate of authorization to do business in the State of New York and copies of current Certificates of NYS Workers' Compensation Insurance, NYS Disability Insurance, General Liability Insurance and proof of current OSHA training certification for all contractors and their employees performing work on the site; and
- 4) A Local Labor Utilization Report listing the names and business locations of prime contractors, subcontractors and vendors who have been engaged in the construction phase of the project. This Report shall also include a list of the names of all construction workers on the project, including the city, town or village and associated zip code that each such worker is domiciled in. The Report shall be submitted to the UCIDA as follows: (1) immediately prior to commencement of construction activities; and (2) on or by the next following ~~quarterly~~ dates of January 1, ~~and April 1~~, July 1 ~~and October 1~~ and each biannual quarterly date thereafter through the construction completion date.

All UCIDA projects are subject to local monitoring by the UCIDA. The applicant's representative shall keep a log book on site detailing the number of workers on the job for each trade and the counties in which they reside which shall be subject to inspection by the UCIDA throughout and at completion of the project. If a violation of the policy has occurred, the UCIDA shall notify the applicant in writing and give such applicant a warning of such violation. In the event there is a subsequent violation of the policy, the UCIDA may, in its discretion, take action to revoke UCIDA benefits.

Formatted: Font: Arial Narrow

Formatted: Justified

Formatted: Font: Arial Narrow

Formatted: Justified, Space After: 8 pt, Line spacing: single

Formatted: Justified, Right: 0.1", Space After: 8 pt, Line spacing: single

Formatted: Justified

Formatted: CM8, Justified, Space After: 27 pt, Line spacing: At least 13.8 pt