



**LEGISLATIVE MEMO**  
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## **MEMORANDUM OF SUPPORT**

**BILL: A.9718 (Nolan)**

**SUBJECT: Extends until 2019 the exemption of New York City School Construction Authority from §101 of the General Municipal Law**

**DATE: June 2, 2014**

**STATUS: On Assembly Corporations, Authorities and Commissions Agenda**

The Associated General Contractors of New York State, LLC (AGC NYS), the leading statewide trade association representing the construction industry supports A.9718 which would extend the New York City School Construction Authority's (SCA) exemption from the Wicks Law until 2019.

Section 101 of the General Municipal Law requires the preparation and bidding of four separate contracts on certain public building projects, including school construction. Commonly referred to as the "Wicks Law," this provision requires the public owner to issue separate specifications for (i) electrical work; (ii) plumbing; (iii) heating, ventilating and air conditioning; and (iv) general construction. The SCA has been exempt from this requirement since its inception in 1988. Subsequent studies have verified the cost savings and value of avoiding the multiple contract mandates on these projects.

Without this Wicks Law exemption, the SCA would be forced to completely overhaul its operations, staffing and method of procuring construction contracts. Projects in the design phase would have to be modified to include the multiple contracts, and all pending projects would have to be re-advertised and re-bid. The SCA would need to hire additional personnel or consultants to administer these changes and manage the various contracts. Moreover, construction would be significantly delayed, children in already overcrowded school districts would be adversely impacted, and the City of New York would face considerable unanticipated costs.

For these reasons, the SCA's Wicks exemption should be extended before it expires on June 30, 2014. AGC NYS urges swift action by the Legislature on this issue.