The Fight for Long Island's Infrastructure Is On
LICA and the Public Works Alliance Endorse a Key Champion of Region's Lifeblood: Congressman Tim Bishop

In an unprecedented move LICA has announced that the Long Island heavy and highway construction industry is endorsing U.S. Congressman Tim Bishop (D-1st CD) for reelection.

Marc Herbst, LICA executive director, explained, “The reason for this action is simple. As an industry, as a region and as a state we are faced with an extraordinary crisis. Tim Bishop has volunteered to pick up the burden of being the region’s champion for federal funds that will literally protect our future, with dollars earmarked for roads, bridges, water systems and more. At a time when a crushing recession has teamed up with indifferent political leadership it is imperative to support the one public official who has demonstrated the courage and capability to stand up and speak out forcefully on behalf of all of us.”

Congressman Bishop is the only Long Island representative to serve on the House Committee on Transportation and Infrastructure. Earning the reputation as one of the panel’s hardest working and most engaged members he has

(Continued on next page)
consistently fought for Long Island’s interests. He has also begun to gain seniority in the House majority, allowing him greater participation in crucial decision-making policies and funding decisions.

In welcoming their support Mr. Bishop observed, “I am running for reelection because I believe I can still make a difference in people’s lives. Sometimes it’s an individual and sometimes it’s a group, but I believe my job is to use the power of government to solve people’s problems.”

“The one individual who has consistently fought for infrastructure faces a serious re-election challenge from self-funded millionaires who recently moved into the district. Should either of these challengers be victorious, Long Island will lose its voice on the Transportation and Infrastructure Committee, lose seniority representation in the House and lose a thoughtful and highly regarded Congressman,” cautioned Herbst.

Other Construction Professionals Lend Their Support

Marc Herbst is joined by John Lizza, president of Intercounty Paving Associates; John Duffy, business manager and treasurer, Operating Engineers Local 138; Billy Duffy, president Operating Engineers Local 138 and president of the Public Works Alliance; Scott Adrian, financial secretary Operating Engineers Local 138; Tony Pirozzi, Vice President Teamsters Local 282; George Truicko, Business Manager, Laborers Union Local 1298; Tommy Gesualdi, President, Teamsters Local 282; and Frank Lizza, general manager, Intercounty Paving Associates, as LICA and its working men and women endorse Congressman Tim Bishop.

Billy Duffy, Jr., president of Local 138 of the Operating Engineers and president of the Public Works Alliance, stated “Infrastructure will never galvanize most voters. Yet without it, fresh water becomes problematic. Our ability to drive to work becomes close to impossible, and bridges are shut down for fear of collapse. Tim Bishop understands this. Addressing these issues is absolutely essential if we are to protect our society, our economy and our quality of life. It is his attention to detail, his commitment to the region and his willingness to advocate on our behalf that has brought a broad spectrum of labor and management to support his reelection effort.”

Others who joined in supporting the Congressman included leaders from the Teamsters, Laborers, and Operating Engineers as well as members of the LICA Board of Directors.

Herbst said LICA made a careful analysis of the race and its implications for the region’s heavy construction industry and then broke with a long standing policy against endorsing politicians on either side of the political aisle: “LICA’s endorsement is unprecedented but we were compelled to act because we are facing an unprecedented crisis. This nation, our region, and our industry, are at the battlements. It requires us to go beyond our usual comfort zone and stand shoulder to shoulder with those elected officials who are committed to protecting our infrastructure. This isn’t a Democratic issue or a Republican one. It’s about leadership.”

(Continued on next page)
Among the issues Congressman Bishop is focused on are his insistence that federal funds awarded to state and local government are used promptly and that local union labor benefit from awarded projects.

“The ability to get out of this recession is based on our ability to put people back to work,” Bishop stated. “I believe we have an obligation and the means to do that through the use of government funds for projects that are necessary to protect the region’s quality of life. I will continue to be an advocate for that strategy and I will continue to insist that state and local governments act quickly when those federal dollars are made available for sewers, roads and bridges.”

Later, in a rally surrounded by construction equipment, Congressman Bishop told almost one hundred union men and women “I think you are the backbone of Long Island. Having your support means a great deal to me, and is something I will talk about proudly. I will continue to work with LICA and the Public Works Alliance to bring jobs and dollars to Long Island.”

**Endorsing an Ally to the Construction Industry**

Choosing to endorse Bishop was an easy decision for the men and women who build, maintain and strengthen our region’s public infrastructure because during his time in office Bishop took the initiative to uncover over $92 million in federal funding that localities were not processing for infrastructure work.

Herbst commented, “Those who are chanting that all incumbents must be voted out of office are politically naive and enormously destructive to Long Island. There need to be thoughtful decisions made about the effectiveness of elected officials, who has aided the region regardless of party labels and whose seniority in Congress has brought a strong voice to the needs of our 2.7 million people. One can disagree on one point or another but our unprecedented endorsement is based on who has gone above and beyond in securing the dollars that will allow Long Island to recoup from a corrosive recession. That individual is Congressman Bishop.”

Click [here](#) to view the status of projects since Bishop exposed the delays.

**Wins and Loses outside the Albany Court House**

The battle of the court house is over but the war to confront a dysfunctional state government continues by LICA and its partners, the General Contactors Association (GCA) and the Construction Industry Council (CIC).

The **NYS Supreme Court Judge Cahill** has dismissed the coalition’s lawsuit seeking timely and continued payment during New York’s budget crisis for work on infrastructure projects already underway, Cahill noting there is no “prompt payment” requirement for state highway contractors when the budget is overdue.

LICA executive director Marc Herbst stated, “This decision and the need for this litigation will become one more chapter in a history book that will be written about a dysfunctional, destructive period in New York State’s history. The shame of it is this was all so needless and so harmful to our state’s economic base and infrastructure needs.”

This lawsuit was only one of the many efforts initiated by LICA and its industry leader partners over these now more

*(Continued on next page)*
than three months, on all fronts, to keep the pressure on state government leaders to ensure LICA members get continued payments for infrastructure projects already underway that are essential to the health and safety of our entire state.

GCA agreed, issuing a statement that observed, “The pressure brought to bear by the litigation and the media coverage surrounding it resulted in a resolution of this issue prior to substantial delay in contractor payments.”

**A multi-front war**

Recognizing that those who are either unwilling or unable to speak up against government failures will be abused by Albany, LICA has aggressively confronted Governor Paterson’s illegal decision to use contractors as political pawns in his budget battles with the state legislature. LICA, CIC and GCA have kept the pressure on with rallies of workers and equipment regionally and in Albany. In addition, the group has kept up a constant presence in the media, coupled with the lawsuit, to ensure a multi-front “war” of words and opinions.

“It is crucial that government understand that this industry will not submit in silence to arbitrary decisions that are destructive to the taxpayer,” continued Herbst. “All told, our actions made their mark, slowly rolling back this intolerable situation. Weekly budgetary extenders have continued during this more than three month budgetary gridlock in Albany. LICA, GCA, CIC and all our partners have succeeded in supporting legislators who understand and support the role of a strong and vibrant public infrastructure.” Still, absent a complete 2010-2011 state budget, the June 21st weekly extender included adoption of the entire Transportation Budget so we now know what authorizations we are working with.

**Blocking the Ban**

More immediately, with each ensuing weekly legislative action, heavy construction advocates have achieved relief from the outright ban of state payments. First, the coalition succeeded in expanding the exemption applied to only ARRA projects to include all federally funded projects. Then the coalition succeeded in ensuring that payments were processed for any work that is performed under bondable state programs, including the 2005 Transportation Bond Act and other state bonds.

With the DOT budget in place, as of the June 21st weekly extender, the DOT is working diligently to catch up with the backlog of projects caused by the legislative logjam. The staff is expediting the awards of projects that were delayed for necessary funding and funding of existing projects and payments are now ongoing in the usual administrative manner.

(Continued on next page)
In his analysis Herbst explained, “The court's decision was based on its rationale that DOT had not taken any final action but was only giving advice to contractors, so the suit was considered premature and further, that in any event there is no ‘prompt payment’ requirement for state highway contractors when the budget is overdue. In all matters of litigation, decisions such as these help us focus where our attention is needed to protect the critically important work of our members, and the health and safety of all New Yorkers.”

Herbst concluded, “What was equally important was that this crisis demonstrated that a coalition of groups, with diverse geographical boundaries and differing agendas, can effectively work together as a united voice. That experience will become especially important in the months to come as our state and New York’s infrastructure undergo additional economic stress.”

**Nassau DPW Willing to Streamline Project Award Process**

The Long Island Contractors' Association recently met with Nassau County Comptroller George Maragos, Chief Deputy County Executive Rob Walker, Commissioner of Public Works Shila Shah-Gavnoudias and other county department representatives to discuss establishing a defined timeline to improve the ability of the heavy construction industry to meet the needs of the county, its infrastructure and the taxpayers who fund these projects, The timeline would chart the minute bids are put out to the industry to when the project is awarded, construction begins and payments are started.

“The delay for Nassau County is much longer than any other municipality – longer than the state, longer than Suffolk County, longer than any of the towns. What we’re looking for is communication and understanding,” said Marc Herbst, LICA executive director. “Our intention is for everyone to become better educated on the process and possibly offer our assistance on this matter.”

The Comptroller listened closely to the concerns presented to him, especially the need for more communication with his office during the project awarding process. He responded favorably, assuring that his office would do everything they can to make the process smoother for the Long Island heavy construction industry.

“If you have a problem, call my office. We will respond to all requests, calls and emails,” Maragos told the LICA delegation. “I encourage you to bring us your experiences so that we can move to correct them or at the very least you can get a better understanding of how collectively we can improve the problem.”

**Citing chapter and verse**

Greg Couch of Bi-County Construction Corp. led the discussion on how the Nassau County Department of Public Works could make the project award process more efficient, explaining that when contractors deal with the
New York State Department of Transportation (NYSDOT), Suffolk County and even with the towns they know what to expect.

“When we work with the New York State DOT we know that process takes about 45 to 60 days from the bid opening until construction begins. When we work for Suffolk County DPW sometimes if we push hard enough we’re on a job in 30 days after a bid. When we work for a town we’re awarded the contract and we’re out on a job in about 60 days. We just want to see the process run as smoothly in Nassau,” said Couch.

LICA Chairman Jim Pratt echoed Couch’s sentiment stating, “There’s got to be a methodology – if it’s seven days, it’s seven days, if it’s 21 days, it’s 21 days. For example, we know the timeline for the State of New York. From the minute you file an estimate, on the 21st day the money’s in your bank account. In Nassau County we have no idea.”

LICA representatives said they were encouraged by the meeting, obtaining a promise from the Chief Deputy County Executive Rob Walker to work collectively toward a more efficient process. “We agree that a 60 day timeline is a fair timeline for the process and we will work hard to accomplish that. We’re open to any suggestions you have on how to streamline the process and make it easier,” said Walker.

The Commissioner of Public Works pledged to work on improving the structure of the DPW to ensure that these types of things don’t get held up. “We certainly can improve on our end and I think that would help a lot. I’m glad we’re bringing this to the table. We need to figure out where the problem is, where the holdup is, we agree that your people need to be working on the contracts you successfully bid on. So let’s find where the holes are,” assured Shah-Gavnoudias.

Joe Posillico of Posillico Civil, Inc., and Roger Bigbie of E. W. Howell Co., LLC were also present at the meeting to represent the interests of Long Island contractors.

LICA Extends Carpenter Contract One Year - Surveyors Also Settle

Alan Ehl, regional director of the Empire State Regional Council of Carpenters, and LICA’s Executive Director Marc Herbst have concluded contract negotiations with a handshake and a newly signed collective bargaining agreement. The new signed contract, effective July 1, 2010, extends the previous contract for a one year period. Other than a one percent wage increase, all dedicated to fund benefits, all other contract provisions remain unchanged.

Regarding another collective bargaining agreement, serving as the lead negotiator for downstate employer associations, the General Contractors Association (GCA) reached an agreement with Operating Engineers Local 15-D. The four year collective bargaining agreement, effective July 1, 2010 through June 30, 2014, provides the surveyors an annual monetary increase of four percent (4%) per year, not compounded, and is based on the total package of wages and benefits in effect on June 30th. Instrument Operators will be granted an additional one dollar ($1.00) an hour increase for the first year. LICA has presented Local 15-D with a memorandum of agreement regarding the terms of this contract for the Long Island market.

To view all of the yearly labor wage rates for 2010-11 visit our website at www.licanys.org and click on the “members only” tab. If you have any questions regarding labor agreements, please contact LICA’s Manager of Policy & Government Affairs Louis Imbroto, Esq. at limbroto@licanys.org.
**Be Better Prepared to Win Government Contracts**

The Small Business Development Center (SBDC) will be offering a free workshop series specifically geared towards contractors looking to get government contracts and bonding.

The state will be spending millions of dollars in government contracts. Successfully obtaining a contract will depend on a company's ability to obtain bonding insurance. SBDC will be holding a series of workshops designed to provide information to contractors related to improving their company's operations and thereby making it easier to be bonded or to increase their bonding capacity.

The workshops will be held every Wednesday for four weeks – the first is scheduled for **July 14th from 6:00 – 9:00 pm** at the SBDC Training Center, Farmingdale State College. The workshop series will be FREE and refreshments will be provided. To register, call the SBDC at 631-420-2765. Click [here](#) to view more information about these workshops.

**Littlest LICA-ette Joins Our Team!**

Congratulations to LICA Board Member James Haney III of Rason Asphalt and his wife Lorraine Haney on the birth of their baby girl, **Ella Grace Haney**, born on June 24, 2010 at 5:30 pm, weighing in at 6 pounds, 12 ounces, and 20 inches! Baby Ella, Mom Lorraine and Dad James are all doing well.

**LICA Golf Outing Less Than a Month Away!**

---

LICA's annual golf outing on **Monday, July 26th** at the Nassau Country Club and the Meadow Brook Club is approaching fast! If you're not already planning to attend, there is still time to participate!

Spend the day enjoying a challenging round of golf, fun, skills competitions, a delicious dinner, and of course, the camaraderie of those who support the Long Island Contractors' Association!

If you are unable to make this new date or find golf a curious distraction, there are still ways to contribute to this important not-for-profit organization that relies on fund raisers such as this to advocate on behalf of the construction industry and Long Island's fair share of funds. If LICA is not strong, solvent and funded, it will be impossible to face the strategic battles for public works that lie ahead. Our long-term viability as an industry depends on our elected officials and policy-makers hearing our message.

As a reminder, registration begins at 10:00 a.m. at the Meadow Brook Club and 10:30 a.m. at the Nassau Country Club.

Please call **Josephine Magee** at (631) 231-5422 or email [jmagee@licanys.org](mailto:jmagee@licanys.org) with any questions you may have with this new date.
LICA’s Cruise Ship is Filling up Fast!

In popularity, that is.

Turn an ordinary night on the town into an extraordinary night on the water! Set sail with LICA on our annual boat cruise from Long Island’s Port Washington this year with Lady Liberty Cruises en route to the Statue of Liberty on **August 12th, from 7pm-11pm**. Enjoy the warm breeze as you sail through America’s gateway and view the spectacular Manhattan skyline and its bridges that remind citizen and visitor alike that a strong public infrastructure builds a strong nation.

Musical entertainment, dinner and open bar will be included in the cost of the ticket. Regulations limit the number of passengers to 140 for this vessel, and registration will be offered on a “first come, first served” basis. Please click [here](#) for more information and to reserve your space.

---

Visit LICA on the web at [www.LICANYS.org](http://www.LICANYS.org)

(Bid results on next page)
## Bid Results

<table>
<thead>
<tr>
<th>Bid Date</th>
<th>Project Name</th>
<th>Owner</th>
<th>Contractor</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/21/10</td>
<td>6/21/10 Storm Water Drain &amp; Road Improvement, Phase II Town of Hempstead</td>
<td>Allen Industries, Inc.</td>
<td>De Rosa Tennis Contractors</td>
<td>1,471,425</td>
</tr>
<tr>
<td>6/21/10</td>
<td>6/21/10 Water Svc/Sanitary &amp; Tennis Courts @ Maplewood Int School South Huntington Union Free School District Contract P</td>
<td>The Novelli Group</td>
<td>De Rosa Tennis Contractors</td>
<td>1,599,290</td>
</tr>
<tr>
<td>6/21/10</td>
<td>6/21/10 Water Svc/Sanitary &amp; Tennis Courts @ Maplewood Int School South Huntington Union Free School District Contract C</td>
<td>Newborn Construction, Inc.</td>
<td>De Rosa Tennis Contractors</td>
<td>1,645,237</td>
</tr>
<tr>
<td>6/22/10</td>
<td>6/22/10 Resurfacing Various County Roads County of Nassau Office of Public Works</td>
<td>The Novelli Group</td>
<td>G &amp; M Earth Moving, Inc.</td>
<td>216,750</td>
</tr>
<tr>
<td>6/22/10</td>
<td>6/22/10 Excel Aid Projects/Bond Issue Phase 2 Sachem CSD Sachem Central School District Site</td>
<td>The Novelli Group</td>
<td>G &amp; M Earth Moving, Inc.</td>
<td>323,900</td>
</tr>
<tr>
<td>6/23/10</td>
<td>6/23/10 Reconstruct of Brockmeyer Drive Park Bulkhead Town of Oyster Bay, Div Purchase &amp; Supply, Dept Gen Svcs</td>
<td>The Novelli Group</td>
<td>G &amp; M Earth Moving, Inc.</td>
<td>872,920</td>
</tr>
<tr>
<td>6/24/10</td>
<td>6/24/10 2010 Road Improvement, Part II Town of Hempstead</td>
<td>The Novelli Group</td>
<td>G &amp; M Earth Moving, Inc.</td>
<td>1,345,029</td>
</tr>
</tbody>
</table>

(Bid results continued on next page)
## Bid Results (continued)

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Contractor</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deduct Alt. #8</td>
<td>Araiz Industries</td>
<td>$13,000</td>
</tr>
<tr>
<td>6/24/10 2010 Road Improvement, Part II</td>
<td>Town of Hem</td>
<td>$17,000</td>
</tr>
<tr>
<td>6/23/10 Water Service/Sanitation</td>
<td>Roy Wanser, Inc.</td>
<td>$141,100</td>
</tr>
<tr>
<td>6/22/10 Excel Aid</td>
<td>Ela Rizzo Construction, Inc.</td>
<td>$328,780</td>
</tr>
<tr>
<td>7/1/10 Sonia Road Landfill Perimeter Road &amp; Drainage</td>
<td>Fort Hill, Inc.</td>
<td>$513,000</td>
</tr>
<tr>
<td>6/29/10 Clean/Reconstruct/Replace Storm Water Catch Basins</td>
<td>Incorporated Village Of Hempstead</td>
<td>$312,050</td>
</tr>
<tr>
<td>8/29/10 2010 Road Improvements of Linden Avenue</td>
<td>Stasi Brothers Asphalt Corporation</td>
<td>$448,885</td>
</tr>
<tr>
<td>8/30/10 Install Low Pressure Sewer Main Along CR 89</td>
<td>Town Of Brookhaven, Purchasing Division</td>
<td>$1,609,700</td>
</tr>
<tr>
<td>7/1/10 Robid Phase 2-Install Water Mains/SUNY Old Westbury</td>
<td>Village Of Old Westbury</td>
<td>$52,800</td>
</tr>
<tr>
<td>7/1/10 Sonia Road Landfill Perimeter Road &amp; Drainage Repairs</td>
<td>U.F.S.D. J. Anthony Enterprises</td>
<td>$114,000</td>
</tr>
<tr>
<td>7/1/10 Walkway Paver &amp; Concrete Work</td>
<td>Village Of Farmingdale</td>
<td>$253,740</td>
</tr>
</tbody>
</table>