



AGC NYS Building Division

Bulletin

April 14, 2009
Vol. 1, No. 2

OSHA 10 Hour Training

Opportunity – NYC

Don't forget that OSHA 10 Hour Training will be required for all workers on New York City jobsites after July 1! GBC Safety will be conducting a 10 Hour Course at NYS

Association of Minority Contractors in Brooklyn on May 14 and 15. If your employees need training, they can register through NYSAMC's Bridgitte Allen at 718-246-8380. If your company needs a company-dedicated 10 Hour course, call [Dennis Kiefer](mailto:Dennis.Kiefer@agcny.com) at 518-376-8221.

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Governor Releases Stimulus Project Lists

Since late February Governor Paterson has been announcing stimulus projects being approved and released by his office as a result of the enactment of the American Recovery and Reinvestment Act (ARRA) by Congress and the President. The following is a list of the Governor's press releases for several geographical regions in the State involving mostly transportation and environmental projects. All of these are supposedly shovel-ready.

While the building community will not see much of this money, especially given the fact that all the education funding will flow to operational as opposed to capital needs, we can only hope it generates the economic activity important to jump-start the economy and have long-term impact on the total construction market.

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Federal Appeals Court Reverses OSHA Review Commission's Ruling on Multi-Employer Citation

"Controlling" Employer Citation against General Contractor Upheld

In a recent 2-1 decision of the 8th Circuit U.S. Court of Appeals, an OSHA Review Commission determination that a general contractor cannot be cited as a "controlling employer" for subcontractor violations was reversed. In the matter involving Summit Construction of Florida, it has been determined that such citations are valid and enforceable against a general contractor/construction manager as the "controlling contractor." For more on the matter, see the article from the April issue of *Safety + Health* magazine by clicking on the following link:

<http://www.gbcnys.agc.org/public/GBCnews/09/09.04.14BBSummit.pdf>.

AGC NYS Meets with NYC DOB to Develop Concrete Safety Manager Regulations

On Tuesday, April 7, AGC NYS staff and Board Member Barry Fries of B.R. Fries and Associates met with a small group of industry representatives and DOB staff to give feedback on the Concrete Safety Manager regulations set to go into effect in July 2009.

Attendees broke down the regulations section by section and commented on the low job requirements (2000 cu ft) needed for a concrete safety manager, the time in which the concrete safety manager needs to be on-site, the effective date, the qualifications, and to whom the concrete safety manager will report their findings.

The department will be taking everything into consideration, will rewrite the regulations where needed, and then allow the group to make comments prior to a public comment period. If you haven't seen the regulations and would like to make your comments to the AGC NYS, you can view them at

<http://www.gbcnys.agc.org/public/GBCnews/09/09.04.14BBConcrete.pdf>.

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Appellate Court Says Charter Schools Free of Prevailing Wages

The Third Department Appellate Division of State Supreme Court found recently that building projects for charter schools in New York State are not required to have prevailing wages. The NYS Commissioner of Labor had determined because of recent legislative changes, charter schools were required to do so. Read the case at

<http://decisions.courts.state.ny.us/ad3/decisions/2009/505538.pdf>.

Member News

AGC NYS Members Recognized for Green Building Achievements

In this month's edition of *Constructor* magazine, AGC NYS members LeChase Construction Services (Rochester) and Turner Construction (NYC and Albany) were featured for their sustainable achievements.

Steve Beck, LEED AP and LeChase Construction were featured for their ongoing green educational programs, successful LEED projects around NY and for making environmental changes within the company.

Turner was featured for their LEED Certified EMPAC project at RPI in Troy, NY, Hearst Tower Project in NYC and for making a company commitment to lower their carbon footprint company wide. Congratulations!

Andron Wins National MHC Project Award

AGC NYS Member Andron Construction (Goldens Bridge, Westchester County) was recently honored by McGraw-Hill Construction (MHC) as a national winner of its top regional projects for the College of New Rochelle Center for Wellness. Congratulations to GBC Past President Charlie Winter and his team. GBC Safety and Construction Services provided safety services on this project, and we're glad we could contribute to its success.

AGCA Develops New Software Standard to Allow Info Sharing

The AGC of America recently released new standards that will allow sharing of data and key information between different construction programs. This new tool, known as agcXML, is expected to save construction companies up to the \$15.8 billion a year currently spent in lost productivity because many construction software programs are not currently compatible.

Data that architects, engineers, contractors, subcontractors, material suppliers and building owners typically exchange during the building design and construction process is still commonly shared in paper documents, or their electronic equivalent, which typically leads to costly delays and inefficiencies. The new agcXML will allow all parties to exchange information more efficiently, including documents such as owner/contractor agreements, schedules of values and requests for information.

For more information about agcXML, please visit www.agcxml.org.

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AGC NYS and Partners to Present MAINSTREETS Convention

Mark your calendars for September 24-26, 2009 when the AGC NYS, American Institute of Architects, American Council of Engineering Companies, NYS Society of Professional Engineers, NYS Association of Professional Land Surveyors and American Society of Landscape Architects descend upon downtown Rochester.

For the first time all six associations are coming together to present the **Re-Build New York: MAINSTREETS Convention**. The convention will feature a two-day trade show with vendors from all over the country promoting new industry products and services, continuing education break-out sessions, tours of historical landmarks and a joint golf tournament. The associations are currently requesting a "call for presentations" and looking for sponsorships. Registration details will follow in the coming months. To get more information on presenting at the event, visit http://www.aianys.org/conv_2009/09callforpres.pdf. For sponsorship information, visit http://www.aianys.org/conv_2009/exhpros.pdf.

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