

L Aid ON DESKS 4/13/15
DISCUSSION ONLY 5/7/15
Government Services & Administration

RESOLUTION NO. 2015126

RE: LOCAL LAW NO. _____ OF 2015, A LOCAL LAW ESTABLISHING A
CONSTRUCTION APPRENTICESHIP FOR AGREEMENTS FOR CERTAIN
BRIDGE CONTRACTS IN EXCESS OF \$500,000

Legislators TYNER, FARLEY, JOHNSON, MACAVERY, and STRAWINSKI offer the
following and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No.
_____ of 2015 which has been submitted this day for consideration by said Legislature.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with
the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 11th day of May 2015, and that the same
is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of May 2015.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. OF 2015

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CONSTRUCTION APPRENTICESHIP FOR AGREEMENTS FOR
CERTAIN BRIDGE CONTRACTS IN EXCESS OF \$500,000

BE IT ENACTED, by the County Legislature of the County of Dutchess, New York, as follows:

SECTION 1. INTENT.

The County of Dutchess hereby establishes a policy to promote apprenticeship training as authorized by § 816-b of the New York Labor Law.

SECTION 2. DEFINITIONS.

As used in this Local Law, the following terms shall have the meanings indicated:

CONSTRUCTION CONTRACT: Any contract to which the County of Dutchess shall be a signatory which involves the construction, reconstruction, improvement, rehabilitation, installation, alteration, renovation, demolition of, or otherwise providing for any bridge, culvert or any appurtenance thereto of any kind with a value in excess of \$500,000.

CONTRACTOR or SUBCONTRACTOR: A contractor or subcontractor which directly employs labor under a construction contract for which an apprenticeship program has been approved by the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law.

SECTION 3. REQUIREMENTS AND EXCEPTIONS.

A. The County of Dutchess hereby requires any contractor, prior to entering into a construction contract with the County of Dutchess, or any subcontractor entering into a contract with a contractor who has a construction contract with the County of Dutchess, to have apprenticeship agreements appropriate for the type and scope of work to be performed, which have been registered with, and approved by, the New York State Commissioner of Labor in accordance with Article 23 of the New York State Labor Law, anything in § 103 of the New York General Municipal Law to the contrary notwithstanding.

B. If a specific trade required for performance of a contract or project does not have a New York State Department of Labor-approved apprenticeship training program at the time of the award of a construction contract, such contract is not subject to the provisions of this Local Law.

C. If a single bid is received for a construction contract subject to this Local Law from a contractor that does not maintain an approved apprenticeship training program, the Director of Purchasing may elect, in his/her sole discretion, to award said contract to the single bidder rather than rebidding the construction contract.

D. Notwithstanding anything in this Local Law to the contrary, at its discretion the Director of Purchasing reserves the right to accept any bid, in whole or in part, or reject all bids and readvertise in the manner outlined by §§ 101 and 103 of the General Municipal Law.

SECTION 4. ENFORCEMENT.

The Director of Division of Central Services is hereby authorized, empowered and directed to promulgate such rules and regulations that are lawful, necessary and appropriate for the implementation and enforcement of any provisions of this Local Law.

SECTION 5. APPLICABILITY.

This Local Law shall apply to construction contracts advertised for bids on or after the effective date.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect upon filing with the Office of the Secretary of State of the State of New York.