

1 **2025 Legislative Conference**
2 **Standing Committee on Transportation and Public Works**
3 **Resolution # 1**

4
5 **Resolution Urging the Governor and State Lawmakers to Grant Design**
6 **Build and Electronic Bidding Authority to Counties**

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8 **WHEREAS**, county transportation infrastructure is foundational to New York’s
9 economic vitality.

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11 **WHEREAS**, current laws and regulations limiting flexibility for delivering public works
12 construction projects can cause inefficiencies, delays, and increased costs to taxpayers
13 especially for larger highway and bridge projects owned by counties;

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15 **WHEREAS**, design-build contracting as authorized for certain state agencies has been
16 shown to save time and money by streamlining procuring design and construction
17 services, and by making a single entity responsible for a project, reducing the possibility
18 of contract claims related to design errors or omissions; and

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20 **WHEREAS**, design-build projects minimize project risk for the owner, increase the
21 accountability of contractors and streamline the delivery schedule by compressing two
22 procurements into one, eliminating one full procurement cycle; and

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24 **WHEREAS**, the City of New York reports that when it used alternative project delivery
25 tools, such as during the COVID emergency when procurement regulations were
26 significantly relaxed, its ability to deliver public infrastructure was transformative;
27 delivering facilities in months instead of years, within budget, and with increased
28 MWBE participation; and

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30 **WHEREAS**, State law does not allow for a fully digital bidding process even though
31 electronic bidding decreases the administrative burdens and the costs that accompany
32 the current paper-based process, and serves to make the process more transparent to
33 agencies, vendors, and the public; and

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35 **WHEREAS**, the recognition of the positive benefits from design-build and electronic
36 bidding led to the passage by both houses of the State Legislature in 2024 of bills to
37 grant NYC new authority to use alternative project delivery contracts, including design-
38 build and construction manager build, and expansion of electronic bidding for NYC,
39 both of which was signed into law by Governor Kathy Hochul as Chapter 534 and
40 Chapter 668; and

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42 **WHEREAS**, as New York State and NYC are authorized to use design-build authority
43 and electronic bidding to great success, similar authority should be extended to
44 counties; and

1 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
2 Counties (NYSAC) hereby calls on the Governor and state lawmakers to work with
3 NYSAC to develop legislation to authorize county governments to use design-build
4 construction contracting and electronic bidding as an option for transportation projects
5 to also realize the benefits to project delivery and local taxpayers as currently inure to
6 the state and NYC; and

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8 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
9 of New York State encouraging member counties to enact similar resolutions; and

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11 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
12 Governor Kathy Hochul, the New York Legislature and all others deemed necessary and
13 proper.