



Memorandum

TO: Steve Morgan, Executive Director, New York Road and Infrastructure Coalition (NYRIC)
Ross J. Pepe, President, Construction Industry Council of Westchester and Hudson Valley (CIC)
Robert Wessels, Executive Director, General Contractors Association (GCA)
Michael J. Elmendorf II, President and CEO, Associated General Contractors of NYS (AGC)
Carlo A. Scissura, Esq. President and CEO, The New York Building Congress (NYBC)

FROM: Joseph P. Igoe, Deputy General Counsel

SUBJECT: COVID-19 GUIDANCE for Thruway Authority Construction Projects – EO 202

DATE: March 22, 2020

The New York State Thruway Authority (“the Authority”) has received multiple requests from the construction industry seeking confirmation that contractors, consultants, services and material suppliers are considered exempt from reduction in workforce requirements as a result of COVID-19. Pursuant to Governor Andrew M. Cuomo’s Executive Order 202, essential businesses and services not subject to the in-person restrictions include: (a) transportation infrastructure including vendors that provide essential services needed to ensure the continuing operation of government; and (b) construction. The Governor’s subsequent Executive Order 202. 6, and relevant guidance, further clarified that essential businesses or entities includes skilled trades such as electricians, plumbers and “other related construction firms and professionals for essential infrastructure or for emergency repair and safety purposes.”

Based on such, as of the date of this memorandum, ongoing construction and design-build projects shall continue to progress. Contractors shall implement the necessary social distancing and cleaning protocols to the fullest extent possible.

Although the Authority is firmly committed to the timely completion of infrastructure projects, the Authority recognizes the importance of mitigating the public health emergency caused by COVID-19. In the event that any ongoing projects are affected by COVID-19, it is imperative that contractors immediately notify the Authority of such.

The Authority’s response to COVID-19 has been and shall continue to be fluid. The Authority may update this memorandum based on any changes to law, rules and regulations, Executive Orders or the impact of COVID-19 on the State of New York and construction industry.