



Rebuilding Albany High School

*Investing in our students. Investing in our community.
Investing in our future.*

MWBE and Workforce Development Opportunities in the Building and Construction Trades

Frequently Asked Questions

November 2017

In the spring of 2018, the City School District of Albany will break ground on a \$179.9 million project to renovate and expand Albany High School. The project, which voters approved in February 2016, will add more than 250,000 square feet of new facilities and completely renovate the existing 378,000-square-foot complex. The project will expand the school's capacity to about 3,000 students; Albany High enrolls about 2,600 students currently and has run out of space to add new classrooms as the district's enrollment continues to grow. You can read more about the project at www.albanyschools.org/RebuildingAHS.

Rebuilding Albany High School will mean hundreds of construction jobs in our community over a seven-year period. The district is committed to helping City of Albany businesses and residents, and especially residents of color, acquire the knowledge and skills necessary to qualify for these jobs, as well as other construction-related jobs throughout our community and region.

Q. What is the district doing to make sure the community is aware of these available job opportunities?

The district is committed to helping City of Albany residents, and especially residents of color, be made aware of and be in position to benefit from these job opportunities. The project also will provide a wide range of opportunities for Minority- and Woman-Owned Business Enterprises (MWBEs), and the district is committed to helping these firms learn the certification process and where resources are available to assist in getting certifications. Topical seminars may also be developed in areas such as the bidding process.

As a first step, the City School District of Albany will host three community workshops on how individual residents/workers and MWBE companies can position themselves to take advantage of construction opportunities in the city and region, including the rebuilding of Albany High School. Below are the dates and times of each workshop:

VISION STATEMENT

The City School District of Albany will be a district of excellence with caring relationships and engaging learning experiences that provide equitable opportunities for all students to reach their potential.

MISSION STATEMENT

We will work in partnership with our diverse community to engage every learner in a robust educational program designed to provide the knowledge and skills necessary for success.

Thursday, Nov. 30, 6-7:30 p.m.

Capital South Campus Center
20 Warren Street

Wednesday, Dec. 20, 6-7:30 p.m.

Albany High School
700 Washington Avenue

Tuesday, Jan. 23, 6-7:30 p.m.

Edmund J. O'Neal Middle School of Excellence
50 North Lark Street

Questions Relating to MWBE Firms or Firms Desiring to Become MWBE-Certified

Q. Are interested city residents or Minority- and Woman-owned Business Enterprises (MWBEs; registered or not as MWBE) required to attend a forum before submitting an application for employment or before bidding on a contract?

No. Attendance is not required, but the workshops may be helpful to understanding how to apply for employment, how to bid on a contract or how to register your business as an MWBE.

Q. What is a Minority-Owned Business Enterprise?

In New York, a Minority-Owned Business Enterprise is a business, including a sole proprietorship, partnership or corporation, that is at least 51 percent independently owned, operated and controlled by one or more minority group member.¹

Q. What is a Woman-Owned Business Enterprise?

In New York, a Woman-Owned Business Enterprise is a business, including a sole proprietorship, partnership or corporation, that is at least 51 percent independently owned, operated and controlled by a woman or women.²

Q. How does a firm qualify to become MWBE-certified in New York?

To qualify for state certification, an applicant seeking Minority- or Woman-owned Business Enterprise (MWBE) certification must provide the following documentation³:

- The ownership must be real, substantial and continuing, and the minority members and/or women must exercise the authority to independently control the day-to-day business decisions.

¹ Article 15-A of the Executive Law states that a minority group member shall mean United States citizen or permanent resident alien who is and can demonstrate membership in one of the following groups: (a) Black persons having origins in any of the Black African racial groups; (b) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American of either Indian or Hispanic origin, regardless of race; (c) Native American or Alaskan native persons having origins in any of the original peoples of North America. (d) Asian and Pacific Islander persons having origins in any of the Far East countries, South East Asia, the Indian subcontinent or the Pacific Islands.

² Article 15-A of the Executive Law defines "Women-owned business enterprise" shall mean a business enterprise, including a sole proprietorship, partnership or corporation that is: (a) at least fifty-one percent owned by one or more United States citizens or permanent resident aliens who are women; (b) an enterprise in which the ownership interest of such women is real, substantial and continuing; (c) an enterprise in which such women ownership has and exercises the authority to control independently the day-to-day business decisions of the enterprise; and (d) an enterprise authorized to do business in this state and independently owned and operated.

³ [MWBE Certification Eligibility Requirements](#)

- Each minority or woman owner upon whom certification is based cannot have a personal net worth exceeding \$3.5 million after allowable deductions, which are:
 - Primary residence, or mortgage for that residence
 - Ownership interest in the applicant's firm
 - Up to \$500,000 of any qualified retirement savings plan
- The MWBE must not employ more than 300 individuals.
- The MWBE must operate independently of other firms, demonstrate it is an active business and in operation for at least one year.
- The applicant must have [Authority to do Business in NYS](#) from the New York Department of State prior to submitting an application for MWBE certification.

Q. If certified as a federal MWBE firm or in another state, is certification in New York also required?

Yes. Before submitting an application for MWBE certification in New York, MWBE firms must first obtain the authority to do business in this state by filing an [Application for Authority](#)⁴ with the New York State Department of State.

Q. My company appears to meet the MWBE definition but is not certified as one. Can my company still work on this project? What steps will my company need to take to qualify as a MWBE?

Yes, any firm or person can submit bids on the project that are in alignment with the specifications provided on the bid documents. You can visit this website for helpful information -- <https://esd.ny.gov/mwbe-new-certification>.

Q. When will the first bids go out for the Albany High project?

The exact timing of bids for the first phase of the Albany High School rebuild will depend on State Education Department approval. At the current time, we anticipate the timing of bids will be late January or early February 2018. Work is expected to begin in the spring of 2018.

Q. How do MWBE firms learn about subcontracting opportunities?

We will use an electronic plan room to distribute the documents for bidding. Plans will be able to be viewed at no cost at www.csarchplanroom.com. Companies will need to register for an account, which also is free. Once you have registered your company you will get notifications for other projects that are out to bid. Plans for the Albany High project also will be available at:

- Northern New York Builders Exchange – www.mybe.com
- Eastern Contractors Association – www.ecainc.org
- Syracuse Builders Exchange – www.syrabex.com
- Dodge Lead Center – www.dodgeprojects.construction.com
- ConstructConnect – www.constructconnect.com

Q. What are the benefits to being a certified MWBE firm?

ACCESS! MWBE-certified firms have access to significant procurement and/or contract opportunities across the state as well as capital support, networking and technical assistance.

⁴ Firms use this form, draft their own form, or use forms available at legal stationery stores. In any case, the Department of State recommends that legal documents be prepared under the guidance of an attorney.

Q. Who do I contact if I have any questions regarding MWBE certification?

The Empire State Development's Division of Minority and Women's Business Development (DMWBD) offers a number of programs, resources, tools and initiatives to support the expansion of new and existing businesses expansion. The division has such initiatives as the:

- MWBE Training Tuesdays Webinar Series – Online capacity-builder seminars to help businesses market themselves
- MWBE Business Growth Accelerator Program – This program provides intensive technical assistance and business development training.
- MWBE Mentor-Protégé Program – This program aims to build the capacity of MWBE protégés to participate as subcontractors and suppliers on state contracts.

Visit [DMWBD](https://esd.ny.gov/doing-business-ny/mwbe) online -- <https://esd.ny.gov/doing-business-ny/mwbe> -- or call (518) 292-5100 to find out about these services

Questions Related to Workforce Development and Individual Employment

Q. Will the school district be hiring individual workers for this project?

No. The school district is required to publicly bid the work on the project. The bids then are awarded to contractor firms who, in turn, hire workers and in some cases other firms to act as subcontractors. The school district does not hire any individual workers for large facilities projects.

Q. Will individual workers already need to have skills or certifications in the building and construction trades to work on the project?

At a minimum, individual workers will be required to have a high school diploma or pass the TASC (high school equivalency exam formerly known as the GED) in order to qualify for a union apprenticeship. Individual workers also will be required to complete a 10-hour Occupational Safety and Health Administration (OSHA) construction training. The OSHA 10-hour course is intended to educate workers about health and safety hazards. The City School District of Albany is planning to provide three complete 10-hour training sessions in the first year that can be attended free of charge as space permits. In the second year, the district will provide a minimum of two 10-hour training sessions. Individuals will need to sign up for these district-provided trainings in advance. Other organizations also offer OSHA training seminars throughout the Capital Region on regular basis; however, there is a cost associated should you choose to attend one of those trainings.

Q. What if individual workers do not have a high school diploma or TASC/GED?

A high school diploma or high school equivalent is required to qualify for a union apprenticeship (see below for more information). For other job opportunities, each individual company will have its own employment requirements. For high school equivalency, the Test Assessing Secondary Completion (TASC) has replaced the General Educational Development (GED) as the primary pathway to a New York State High School Equivalency Diploma. We suggest individual workers attend a high school equivalency preparation program before taking the exam. There are two prep locations in Albany County:

Capital Region BOCES

1015 Watervliet-Shaker Road, Latham
(518) 862-4707

Literacy New York Greater Capital Region

1510 Central Avenue, Albany

(518) 452-3382

Q. When will companies begin hiring individual workers for the Albany High project?

This will depend on what part of the project they are working on. The first phase of the Albany High rebuilding project will begin in spring 2018. Workers would be needed for foundation work early in the construction process. Workers for finishing jobs like painting would be hired later in the process. The first phase is expected to be completed in time for the start of the 2019-20 school year. There will be similar timing for future phases of the project, which is estimated to take seven years.

Q. How will people be able to find out about job opportunities as they become available?

The district is in the process of hiring a community advocacy liaison to, among other things, connect workers with employers as the project moves forward. For union work, the best way to find out about job opportunities is to become a union apprentice (see below for more information). In addition, job opportunities for non-union work will be available by obtaining a list of non-union subcontractors. That information will be available as bids are awarded as the project moves forward.

Q. Are full-time and part-time positions available? What is the rate of pay? Are there benefits?

Hourly positions will be available that can equate to full-time employment on the Albany High School project. The New York State Department of Labor posts the [prevailing wage schedules](#) for general construction by occupation and by county on its website.

Example: Carpenter Journeyman
Wage: \$30.68 per hour;
Supplemental Benefits: \$20.34 per hour.

Q. What is a pre-apprenticeship program? What is an apprenticeship program? What is a journeyman or journeyworker?

Pre-apprenticeship and apprenticeship programs allow an individual to receive the training and skills in a desired trade under the supervision of an experienced journeyworker. These pre-apprenticeship and apprenticeship opportunities lead participants to the status of journeyworker, which is defined as someone who is fully qualified or certified and experienced performing a specific trade without supervision. Below are specific program definitions:

- **Pre-apprenticeship programs** are designed to promote a diverse and skilled workforce, and to prepare individuals to meet the basic qualifications for entry into registered apprenticeship programs. Participation in pre-apprenticeship programs are a great way for individuals to explore and learn about exciting careers, receive classroom and technology-based training, build literacy in math, English and work-readiness skills, and advance to an apprenticeship program.
- **Apprenticeship programs** provide paid on-the-job training under the guidance of experienced journeyworkers that lead to a journeyworker skillset. It is an employer-driven, “learn while you earn” model that combines on-the-job training, provided by the employer that hires the apprentice, with job-related instruction tied to the attainment of national skills standards. The model also involves progressive increases in an apprentice’s skills and wages. Apprentices can be

new hires, or businesses can select current employees who need skill upgrades to join the apprenticeship program.

- **Journeyworker** refers to a worker who has mastered the skills, abilities and competencies recognized within an industry for the desired occupation. The term may also refer to a mentor, technician, specialist or other skilled worker who has documented sufficient skills and knowledge of an occupation, either through formal apprenticeship or through practical on-the-job experience and formal training.⁵

Q. What are the benefits to participating in pre-apprenticeship and apprenticeship programs?

Both programs provide invaluable and transferrable skills that lead to steady employment with good pay and benefits.

Q. Can an individual with a criminal record be hired for one of these construction jobs with a criminal record?

Yes. An individual with a criminal record can participate in pre-apprenticeship and apprenticeship programs and can be hired as a journeyworker. However, conviction of certain crimes may prevent this individual from working in certain facilities.

Q. What are the steps to become eligible to work on a project as member of the workforce?

The community workshops sponsored by the school district in November, December and January contain more specific guidance, but at minimum (see above for more information about each of the following):

- If you do not have a high school diploma you must obtain a high school equivalency
- You must complete OSHA's 10-hour training

The completion of an apprenticeship program will enhance options to join the workforce.

Q. What is a PLA?

A Project Labor Agreement, or PLA, is also known as a Community Workforce Agreement. It is a pre-hire collective bargaining agreement between one or more building trade unions and contractors. The agreement governs terms and conditions of employment for all trade union and non-union workers on a construction project. A PLA often includes provisions to prevent strikes, lockouts and other work stoppages during the project. Thus, a PLA can protect taxpayers by eliminating costly delays due to labor conflicts.

⁵ 29 CFR Part 29 Apprenticeship Programs, Labor Standards for Registration, Amendment of Regulations; Final Rule