



February 17, 2017

Federal Highway Administration
Mr. Peter Osborn, Division Administrator
ATTN: Lorin Willett; R-9 Area Engineer
Leo O'Brien Federal Building, Suite 719
11A Clinton Avenue
Albany, New York 12207

Dear Mr. Osborn:

**RE: PIN 975316 FRONT STREET GATEWAY PROJECT
SEP-14 & SECTION 192 REQUIREMENTS CONCURRENCE
CITY OF BINGHAMTON, BROOME COUNTY**

The subject project is a Locally Administered Federal Aid Project located in the city of Binghamton, Broome County, New York. It involves pavement rehabilitation, replacement of sidewalks, and installation of piping for storm-water separation.

Attached for your review is a project-specific certification by the city of Binghamton for the previously submitted Special Experimental Project No. 14 (SEP-14) work plan for the Local Labor Hiring Pilot Program. The city of Binghamton is certifying that, based on the current language in the SEP-14 work plan, the city is in conformance with Section 192 of the FY 2016 Appropriations Act.

We concur with the enclosed certification. If you have any questions or require additional information, please contact Ron Coleman, in the Planning & Program Management Office at (607)721-8079 or by e-mail at ron.coleman@dot.ny.gov

Sincerely,

John R Williams, PE
Regional Director

Attachment



Department of Engineering

Mayor, Richard C. David
City Engineer, Ray L. Standish, P.E.

February 8, 2017

Mr. Ronald Coleman, PE
Local Project Liaison
NYS Dept. of Transportation
44 Hawley Street
Binghamton, NY 13901

RE: PIN 975316 Front Street Gateway Project

Dear Mr. Coleman;

The above referenced project is located in the City of Binghamton. This letter will certify that the SEP-14 Workplan for this project is in compliance with Section 192 of the FY 2016 Appropriations Act. The Act requires that all recipients requesting a SEP-14 Workplan approval must provide a project-specific certification that conforms to Section 192 certification requirements in conjunction with their workplan.

In conformance with Section 192 of the FY 2016 Appropriations Act, the City certifies that the following three conditions will be satisfied for this project:

SEC. 192. The Department of Transportation may use funds provided by this Act, or any other Act, to assist a contract under title U.S.C. or title 23 U.S.C. utilizing geographic, economic, or any other hiring preference not otherwise authorized by law, except for such preferences authorized in this Act, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a contract or construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

- (1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the contract requires resides in the jurisdiction;*
- (2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference, and;*
- (3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.*

Also, the City will include the Section 3 clause from 24 CFR 135.38 verbatim to conform to the HUD requirements.

The City SEP-14 Workplan has been coordinated with FHWA staff and will be included in the contract bid document for the referenced project.

Should you require additional information from the City regarding the SEP-14 approval, please do not hesitate to contact me.

Respectfully submitted,

A stylized, handwritten signature in blue ink, consisting of a forward slash followed by a capital letter 'S' followed by another forward slash.

Ray L. Standish
City Engineer