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MEMORANDUM IN SUPPORT

Bill Number: S5445

Sponsor: Fuschillo

Title of Bill:

AN ACT to amend the transportation law in relation to authorizing innovative infrastructure development.

Statement of Support:

The Building Congress is a broad coalition of the design, construction and real estate industry. Part of the Building Congress mission is to support public policies that promote economic development and infrastructure investment.

The Building Congress supports Senate Bill S.5445, which would permit public private partnerships (P3s) on State-sponsored public transportation projects housed in the Department of Transportation, the New York Thruway Authority, the New York Bridge Authority and the Metropolitan Transportation Authority.

S.5445 creates an "Innovative Infrastructure Development Board" to oversee the selection and implementation of P3s. The Board would be empowered to hire qualified staff and work alongside State agencies and authorities during the development and execution of P3 agreements. The Board centralizes decision making and prevents piecemeal, fragmented implementation of P3 projects. The Board is an essential part of this legislation, as the public welfare must be protected with a commensurate level of expertise and oversight.

The Board will be made up of appointees of the Governor, the Senate and Assembly leadership and must approve the selection and implementation of P3 projects. This arrangement assures the legislature will have clearly defined management and oversight responsibilities. It also permits faster delivery of projects, because once the Board approves a project, the private entity can manage projects from beginning to end, shrinking traditional procurement schedules. Time saved is one of the most important benefits of the P3 model.

The transportation agencies and authorities covered by this legislation all face enormous capital funding gaps. Permitting public private partnerships to expand their access to private investment in infrastructure is an important tool to help reduce these gaps. However, P3s will not solve the transportation funding crisis. The State must continue to seek out new ways to pay for its aging, roads, bridges and mass transit systems.

We urge the Senate to pass S.5445.

