



## 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)  
Marc Herbst, Executive Director, Long Island Contractors Association (LICA)  
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:** Janice McLachlan, Acting Assistant Commissioner and Chief Counsel

**SUBJECT:** COVID-19 GUIDANCE for NYSDOT Construction Projects – EO 202

**DATE:** March 20, 2020

The New York State Department of Transportation ("the Department") 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 outlined in Governor Cuomo's Executive Order 202, as amended. The Executive Order provides that essential businesses and services not subject to the in-person restrictions include transportation infrastructure including vendors that provide essential services needed to ensure the continuing operation of government.

The Department is continuing implementation of its capital program as an essential government function and will continue to let and construct projects. The companies awarded such contracts including subcontractors, suppliers, vendors and specialty firms are all exempt for work to support the capital program.

Please feel free to contact me, if you have any questions.