

<b>Subject</b> 2024 New York State PWEF Assessment	<b>Date</b> June 24, 2024
<b>Department</b> Office of the Chief Financial Officer	<b>Vendor Name</b>
<b>Department Head Name</b> Kevin Willens, Chief Financial Officer	<b>Contract Number</b>
<b>Department Head Signature</b>	<b>Contract Manager Name</b>
<b>Project Manager Name</b> David Keller, Co-Deputy Chief, OMB	<b>Table of Contents Ref #</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	6/24			
2	MTA Board	6/26			

Internal Approvals			
Order	Approval	Order	Approval
1	CFO		
2	General Counsel		
3	Chief of Staff		

Internal Approvals (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval

**Purpose:** To authorize actions relating to the payment of the New York State assessment on the MTA and its constituent agencies for the Public Work Enforcement Fund (“PWEF”) for calendar year 2024.

**Discussion:** Chapter 511 of the Laws of 1995, as amended, requires State agencies and authorities to pay to the State Comptroller an assessment based on one-tenth of one percent of the value of public work (construction) contracts entered into (excluding rolling stock contracts). The assessments are deposited in the State Public Work Enforcement Fund to reimburse the State Department of Labor for its costs in enforcing the State’s prevailing wage law. The State and the MTA have entered into a simple annual estimate-and-settlement procedure agreement. Payments are made each year based on the estimated amount of public works contracts and are adjusted to reflect the actual experience from the prior year. The 2024 payment, therefore, is based on a 2024 estimate and an adjustment for the 2023 actual. MTA estimates the 2024 assessment to be \$1,608,341. In 2023, the estimated 2023 assessment of \$5,192,127 was more than the actual assessment of \$3,598,150 by \$1,593,977. This true-up of \$1,593,977 when deducted from the estimated 2024 assessment of \$1,608,341, requires a total payment of \$14,365.

**Financial Implications:** The 2024 MTAHQ Budget contains sufficient funds for this payment.

**Recommendation:** It is recommended the Board authorize staff to remit the 2024 PWEF assessment payment as adjusted for the 2023 actual assessment.