



**TESTIMONY:  
Fiscal Year 2022  
Preliminary Budget Hearing**

**TESTIMONY BEFORE THE NEW YORK CITY COUNCIL  
COMMITTEE ON HOUSING AND BUILDINGS  
NEW YORK CITY DEPARTMENT OF BUILDINGS  
MELANIE E. LA ROCCA, COMMISSIONER  
MARCH 5, 2021**

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Good morning Chair Cornegy and members of the Committee on Housing and Buildings. I am Melanie E. La Rocca, Commissioner of the New York City Department of Buildings (“the Department”). I am joined today by Sharon Neill, the Department’s Deputy Commissioner of Finance and Administration. We are pleased to be here to discuss the Fiscal Year 2022 Preliminary Budget and the Department’s progress in meeting its goals.

The last time I testified in person before this Committee was exactly one year ago, just days before we started to feel the unimaginable impacts of the COVID-19 pandemic in New York City. The pandemic very quickly impacted the construction industry and the work we do at the Department. While our work to enforce the laws and regulations that govern the more than one million buildings and 40,000 active construction sites under our jurisdiction continued throughout the pandemic, we also began to protect New Yorkers in new ways. We are now working to ensure that construction sites, and other businesses, are abiding by guidelines to protect against the spread of COVID-19. I am proud of the work our staff has been doing throughout this pandemic and commend them for their hard work. The Department is committed to doing its part to ensure the City recovers from this pandemic and we look forward to finding opportunities to partner with this Committee to accomplish that very important goal.

Turning now to the Department’s budget. The Fiscal Year 2022 Preliminary Budget allocates approximately \$182 million in expense funds to the Department. Of this funding, approximately \$152 million is for Personal Services, which supports 1,794 positions, and nearly \$30 million is for Other Than Personal Services, which primarily supports contractual services, equipment, and supplies.

The Department's budget was reduced by \$12.8 million as part of the Citywide Savings Program, which tasks agencies with implementing savings initiatives. Reductions in Personal Services totaling approximately \$8 million were achieved by reducing headcount and reducing overtime spending. Reductions in Other Than Personal Services totaling \$4.8 million were achieved by delaying discretionary contract services, reducing vehicle purchases, and reducing telecommunication wireless services.

I would now like to highlight some of the Department's work over the past year. The Department continues to make tremendous progress in key areas, including to facilitate development in an efficient manner, to improve safety at construction sites, to keep tenants safe, and to reduce emissions from buildings, all while continuing to improve the services we offer to our customers and members of the public.

In Fiscal Year 2020, nearly 104,000 construction jobs were filed with the Department and we issued approximately 148,000 initial and renewal construction permits combined. For the first time ever, more construction jobs were filed in DOB NOW than in the Buildings Information System, which demonstrates the progress we are making to replace a three-decades-old mainframe system. DOB NOW will allow our customers to conduct all of their business with the Department online, which will lead to greater efficiency and more transparency by allowing owners, design professionals and contractors to determine exactly where a construction project is in the approval process.

We are reviewing plans for new buildings, major renovations, and minor renovations expeditiously. We are completing our initial plan review for new buildings and major alterations in five days and for minor renovations in a little over two days. Our goal is to continue to promptly complete our initial plan reviews and to ensure that customers know what to expect when their plans are being reviewed by continuing to train our plan examiners and by developing plan-exam guidelines for a wide variety of projects, which help ensure that plan review is efficient and consistent.

The wait time between a development inspection request and an inspection decreased across the board. The wait time for a general construction inspection was two days and was under three

days for an electrical or plumbing inspection. This progress on development inspection service levels can be attributed to the efficiencies gained from DOB NOW: Inspections, which allows for all types of development inspections to be scheduled online. This makes it easier for our customers to schedule inspection appointments, offers more precise inspection scheduling, and improves inspection tracking.

To provide even more transparency to our customers, we launched our Customer Service Dashboard last year. This new tool allows the public to view a variety of metrics in real-time, helping them understand exactly what to expect when starting a construction project. The Customer Service Dashboard calculates average timelines for plan reviews by type, the number of appointments to plan approval, inspection requests, and general customer service.

We continue to respond to complaints from members of the public faster than ever before. We are responding to the most serious complaints, Priority “A” complaints, which are those complaints that relate to conditions that may present an immediate threat to the public, within hours. We are responding to Priority “B” complaints, which capture violating conditions that if occurring, while serious, do not present an immediate threat to the public, within 12 days. As a result of responding to these complaints, and our proactive inspections concerning construction safety and tenant protection, we issued over 80,000 OATH summonses last year.

With this Committee’s partnership, the Department also continues its efforts to maintain the City’s Construction Codes. Code revision is truly a collaborative effort between our staff and the hundreds of industry stakeholders who volunteer their time to ensure that our Construction Codes reflect advancements in technology, as well as the latest standards for life safety. Together, we have already updated the City’s Plumbing Code and worked together to implement the most stringent Energy Code in our history. We are in the process of updating the balance of the Construction Codes, the Electrical Code, and for the first time, developing an Existing Building Code, which will specifically address construction projects in an existing building. We look forward to partnering with this Committee to continue to strengthen our Codes.

Construction safety continues to be a focus of the Department. In 2019, for the first time in nearly a decade, construction-related injuries decreased. Last year, we saw another decrease in

construction-related injuries, with 502 construction-related injuries in 2020, down 34% from the 761 construction-related injuries in 2018. This decrease in injuries comes after the launch of our Construction Safety Compliance (“CSC”) Unit in 2018, which is dedicated to conducting proactive, unannounced inspections of large construction sites. To date, the CSC Unit has conducted over 50,000 proactive inspections at over 22,000 unique construction sites.

The decrease in injuries also coincides with the implementation of Local Law 196 of 2017 (“Local Law 196”). As of March 1st, workers at large construction sites are required to have 40 hours of safety training and supervisors at those sites are required to have 62 hours of safety training, including fall prevention training, which has the potential to save lives. Since the enactment of this law, we have conducted extensive outreach to the construction industry, including directly to the workers who are impacted. I am pleased to report that our approved course providers have issued over 121,000 Site Safety Training Cards, and many thousands of OSHA 30 cards to workers, which means that workers are receiving the site safety training required by this law.

Last year, we held our first-ever virtual construction industry conference, which focused on safety, innovation, and sustainability. For the first time, our annual industry conference included sessions dedicated to worker safety, which highlighted Local Law 196 and the importance of receiving site safety training. Last month, we launched a seven-week façade and scaffold safety blitz. This campaign includes direct educational outreach to construction workers and industry professionals on scaffold safety, as well as inspection sweeps on façade work sites across the five boroughs. As part of this effort, we also issued our first Worker Alert, which provides practical situational safety information and straightforward guidance for those workers performing façade work.

The Department looks forward to working with this Committee to further improve construction safety and to further drive down construction-related injuries and fatalities. There is no excuse for a worker not going home to their family at the end of their shift and I do believe we can work together to prevent unnecessary injuries and fatalities. For example, we can do more to hold bad actor contractors accountable for actions that result in serious injury, death, or property damage, and implement practices that are proven to work to improve safety at more construction sites, including requiring more site safety supervision.

The Department also continues its critical work to protect tenants. We're committed to providing our Office of the Tenant Advocate ("OTA") with the tools it needs to succeed. OTA serves as a resource to help tenants understand the laws that govern construction, to investigate complaints of construction as harassment, and acts as our liaison to tenants with any Department-related issues. Our OTA works closely with other units dedicated to tenant protection, including our Office of the Buildings Marshal, which conducts proactive inspections to ensure that contractors are complying with Tenant Protection Plans and responds to tenant harassment complaints, and our Real Time Enforcement Unit, which responds to Work Without a Permit complaints from tenants expeditiously. Working in tandem, these units provide our tenants with the resources they need to navigate construction in their homes and respond to any issues they may have.

The Department is also prepared to fulfill its obligation to address greenhouse gas emissions coming from buildings. We are well positioned, with the largest energy team anywhere in the country, to support the City's goal of achieving carbon neutrality. In addition to enforcing the Energy Code, enforcing existing laws that require certain buildings to report their energy and water use and to perform retro-commissioning, we are also implementing the Climate Mobilization Act. The Climate Mobilization Act requires all new buildings and existing buildings undergoing certain major roof renovations to install a solar photovoltaic system, a green roof system, or a combination of the two, and regulates greenhouse gas emissions from large buildings starting in 2024. Last year, buildings were also required to start posting energy grades, which ensures that buildings are held accountable for their performance and makes their energy efficiency transparent to the public.

We recognize the significant impact that our work can have on the public, whether they are planning a construction project, attempting to resolve a violation, or wanting to find out more about construction work in their community. As such, we will continue making our work accessible to the public by providing them with resources they can understand and use, like our Customer Service Dashboard and our real-time map of after-hours construction work, which allows the public to determine whether after-hours construction in their neighborhood is occurring with proper permits. We will also continue conducting outreach directly to members of the public impacted by our work, which includes sending letters to property owners when their neighbor is conducting construction work so that they are aware of that work and any disruptions it may cause.



Thank you for the opportunity to testify before you today. I look forward to continuing our work together to improve the Department for the benefit of all New Yorkers.

We welcome any questions you may have.

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