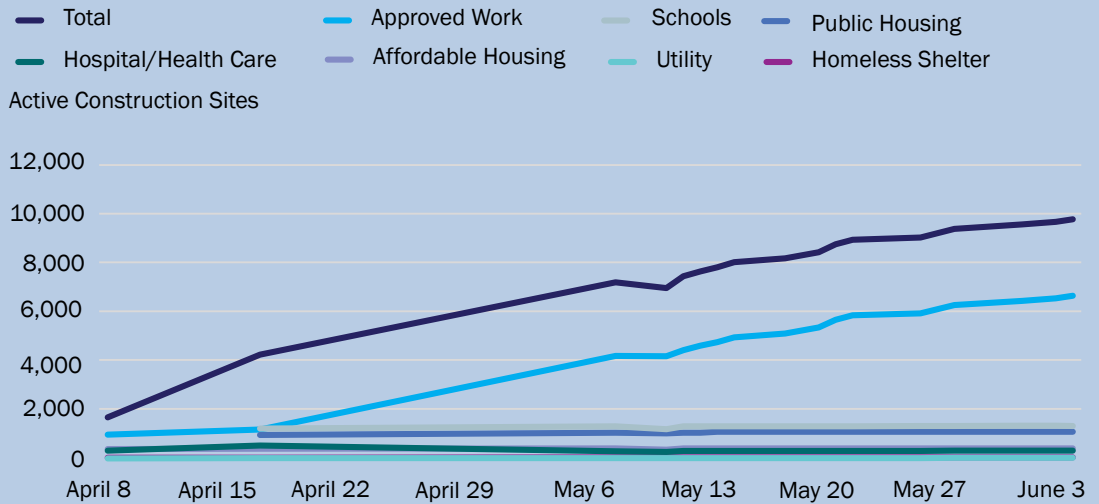


Did the Number of Active Construction Sites Increase Even as the City Was on Pause?

On March 22, 2020, Governor Cuomo halted all nonessential construction, shutting down over 35,000 active construction sites in New York City as part of the city going on “pause” in the effort to halt the spread of Covid-19. On June 8, New York City entered Phase 1 of reopening, and all construction could resume. But well before the broad resumption of construction, an increasing number of construction sites had been allowed to continue or resume work if they were deemed essential. IBO examined the type of projects initially allowed to continue and how many more projects were added during the pause.

- On April 3, when the city’s Department of Buildings began publishing data, there were 887 construction projects deemed essential. By June 4, with construction about to broadly resume as part of the city’s initial phase of reopening, the number had ballooned to 9,769

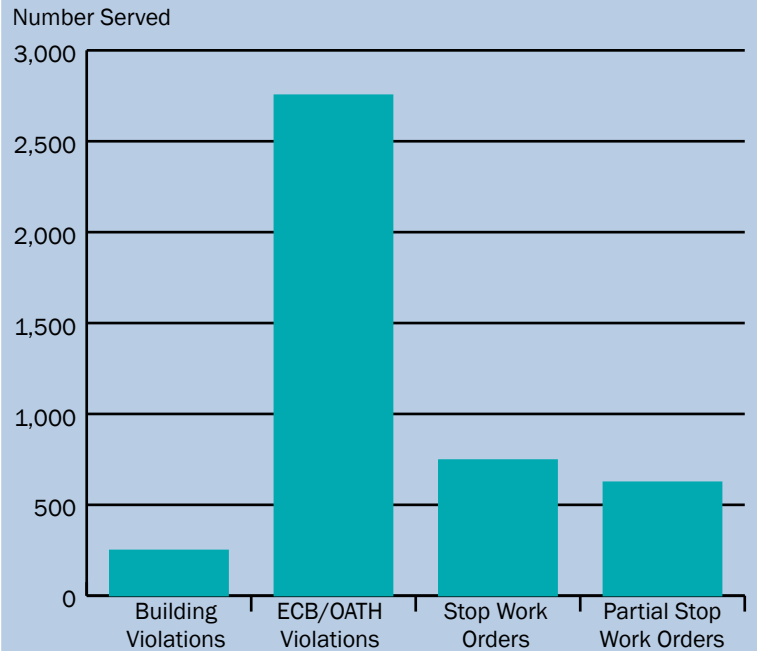
The Number of Construction Sites Deemed Essential Rose Rapidly During the Pause, Driven by Construction Approved on a Case-by-Case Basis



- Guidelines first issued by the buildings department restricted construction to affordable housing projects, hospitals and health care facilities, utilities, public housing, schools, homeless shelters, and a broad category titled “approved work.”
- With state guidance updated on April 15, the buildings department began to allow work on sites that would eventually house businesses deemed essential under the pause such as food services or hotels, as long as those projects were already underway when the pause took effect. The guidance also lowered the number of affordable apartments necessary for a project to qualify as essential construction.
- Even when a site was designated as essential, that did not necessarily mean all work on the project could proceed. As of early June, more than two-thirds of essential sites included components that were required to remain idle during the pause. Conversely, all work was permitted to continue at only 32 percent of the sites.
- For most types of construction allowed during the pause, the number of projects that proceeded remained relatively flat. But the number of projects the buildings department allowed to continue on a case-by-case basis increased nearly six-fold from early April through early June.
- This “approved work” fell into different subcategories. Emergency construction covered construction that would be unsafe if it was left unfinished, as well as projects deemed necessary for the well-being of building occupants. Work performed by a single worker was allowed since solo work reduces the risk that an infection would spread. The Department of Buildings also approved work on sites that house, or will eventually house, a business allowed to operate under the shutdown restrictions.
- A few examples of work allowed to proceed on a case-by-case basis include construction of an 8-story commercial building on Staten Island because that building will eventually house a charter school, renovation of an eight unit building in the Bronx because that building contains rent-stabilized units, and brownfield remediation of a lot in Brooklyn where a 29-story mixed-use building will be erected.

- The Department of Buildings issued a total of 4,376 stop work orders and violations during the shutdown period. That is roughly half the number of violations issued by the buildings department during the same period last year, although there was an average of just 6,000 active constructions sites during the pause compared with 35,000 before the pause. Likewise, the buildings department served about half the number of building and Environmental Control Board/Office of Administrative Trials and Hearings violations compared with the number it issued for the same period last year.

While Most Construction Was Halted During the PAUSE Order, The Department of Buildings Issued Over 4,000 Stop Work Orders and Violations



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SOURCE: IBO analysis of Department of Buildings Essential Active Construction data from April 8th through June 4th; IBO analysis of the Department of Buildings complaints data, from March 22nd through June 5th.