

IDOT PROJECT LABOR AGREEMENT DETERMINATION

To: Ann L. Schneider, Secretary

From: William R. Frey, Interim Director

Date: October 29, 2012

Re: FAP 313 (US 34), Contract Number 68409, Henderson County

In accordance with the Project Labor Agreement Act (30 ILCS 571), it is recommended that a project labor agreement (PLA) be utilized for the above-captioned Project. This recommendation is based on the considerations indicated below.

- 1) The Project is being awarded and administered by IDOT (i.e., not by another governmental agency).
- 2) The Project is being constructed using state or local funds only (i.e., no federal funds).
- 3) The overall size, scope, sequencing, logistics or other aspects of the Project make it particularly challenging to manage, and use of a PLA is expected to help assure that the construction work is performed properly and efficiently under the circumstances.
- 4) The duration of construction activity on the Project is expected to exceed one construction season (i.e., 110 or more working days), or the nature of the Project results in a heightened need for labor force continuity and stability over a substantial period of time.
- 5) There is a firm construction completion date established for the Project thereby increasing the adverse consequences of any work stoppage or other labor disruption.
- 6) The time required to complete the Project is expected to extend beyond the expiration date of one or more existing collective bargaining agreements covering trades likely to be involved in the Project, thereby increasing the likelihood of work stoppage(s) or other labor disruption(s) during construction of the Project.
- 7) In the absence of a PLA, there is an increased likelihood of jurisdictional disputes among unions or of conflict between unionized and non-unionized workers on the Project that could have a potentially material adverse effect on the time, cost, or quality of work performed on the Project.

FAP 313 (US 34)
Contract Number 68409
Henderson County
Items 1, 3, 4, 5, 6, 8, 10, & 11

8) This project presents specific safety concerns to the traveling public and a PLA, will ensure labor force continuity and stability, decreasing the length of the safety concern.


9) Use of a PLA is expected to result in improved access to skilled labor, improved efficiency, or improved safety performance on the Project.


10) Use of a PLA on the Project is not expected to have a material adverse effect on the competitive bidding process

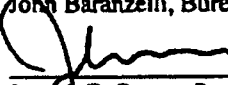
11) Use of a PLA on the Project is not expected to have a material adverse effect on the ability of the Department to achieve other Departmental goals (e.g., utilization of disadvantaged businesses, utilization of Illinois domiciled businesses, development of competitive vendor alternatives over time, etc.).


12) There are other material considerations favoring or disfavoring use of a PLA on this Project as follows:

Based upon the identified considerations, we recommend that you approve use of a PLA on this Project. Upon your approval, the Department shall undertake to negotiate in good faith a PLA with the relevant labor organization(s), and shall include in all necessary bid specifications and other documents information regarding the actual or form of PLA that is to binding upon all contractors and their employees.

Agreed: 
William R. Frey, Interim Director of Highways (Date)

Agreed:  12/19/2012
John Baranzelli, Bureau of Design & Environment (Date)

Agreed:  12/07/12
Joseph E. Crowe, Regional Engineer (Date)

Approved:  1-14-13
Ann L. Schneider, Secretary (Date)

FHWA concurrence in the PLA for the above-mentioned contract.

Gregory G. Nadeau	12/03/2012
FHWA Deputy Administrator	(see attached approval page)

ATTACHMENT A

**Justification for use of a Project Labor Agreement (Federal)
 Contract No. 68409, Henderson County**

The use of a Project Labor Agreement on this project is consistent with all State and Local statutory and regulatory requirements.

Item 3. The estimated project cost is \$50,000,000.

Any disruption in the continuity of this project due to labor issues would result in delayed completion of the project that would cause safety concerns for the traveling public from lane shifts and traffic control devices remaining in place for a prolonged duration and jeopardize the necessary work that needs to be completed. The lapsing of trade contracts would be addressed through the use of a Project Labor Agreement. It is the Illinois Department of Transportation's finding that the skilled workforce needed for this project can be provided by the union trades involved and is a necessary requirement for a Project Labor Agreement.

Item 4. The project has a completion date of November 21, 2014 with the addition of 30 working days available after the completion date. The additional working days are provided for the contractor to complete any remaining off roadway work.

Item 6. The trades that will be used on this project include, but are not limited to: finishers, ironworkers, laborers, operating engineers, teamsters, and carpenters.

The labor contracts associated with this project are as listed below:

Henderson County		
Trade	Local	Contract Expiration
Finishers	Local 18, Area 539	04/30/2015
Ironworkers	Local 577	06/1/2014
Laborers	Local 538	04/30/2014
Operating Engineers	Local 649	03/31/2014
Teamsters	Statewide Agreement	04/30/2014
Carpenters	Local 166 (incl. in Statewide Agreement)	07/31/2016

Item 8. Any disruption to the contractor's schedule due to labor issues may result in the construction of US Route 34 not being completed by the November 21, 2014. Existing US Route 34 currently passes in front of West Central School. The proposed US Route 34 roadway will divert traffic from existing US Route 34, thereby, eliminating a safety concern at the school. Disruption of the contractor's schedule from a work stoppage will prolong the use of existing US Route 34 at the school, thus, prolonging a safety concern for both motorists and school children.

PLA Request

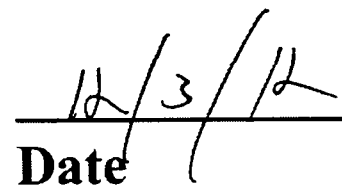
Approval of Project Labor Agreement

Disapproval of Project Labor Agreement

Reason for disapproval:




Signature



Date

Execution Page


Illinois Department of Transportation



Omer Osman, Director of Highways / Chief Engineer



Matthew R. Hughes, Director of Finance & Administration



Michael A. Forti, Chief Counsel



Ann L. Schneider, Secretary

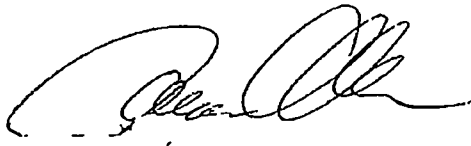
1-14-13
(Date)

Illinois AFL-CIO Statewide Project Labor Agreement Committee, representing the local unions listed below:

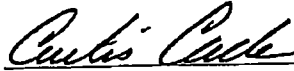


December 13, 2012
(Date)

List Union Locals:



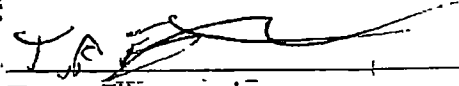
Jim Allen
Bricklayers



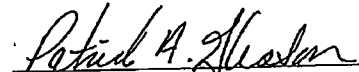
Curtis Cade
United Association

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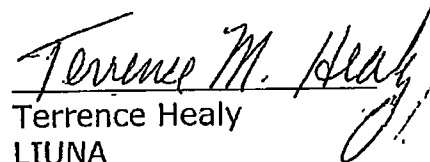
Ed Christensen, Elevator
Constructors



Terry Fitzmaurice
Painters



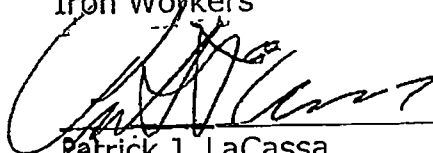
Pat Gleason
Teamsters




Terrence Healy
LIUNA



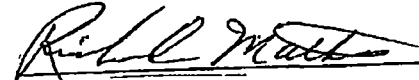
Tadas Kiciulinski
Iron Workers



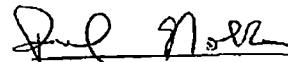
Patrick J. LaCassa
OPCMIA



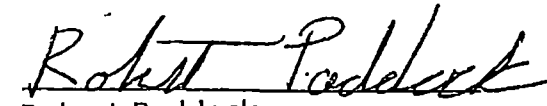
Terry Lynch
Heat & Frost Insulators & Allied
Workers



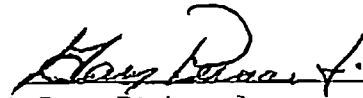
Richard Mathis
Roofers



Paul Noble
IBEW



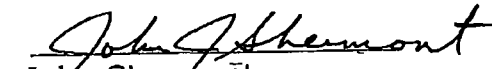
Robert Paddock
IUOE



Gary Perinar Jr.
Carpenters



Brian Mulheran
Sheet Metal Workers



John Skermont
Boilermakers

*only if Elevator Constructors master agreement
language is attached to PLA