

Item 85

**IDOT PROJECT LABOR AGREEMENT DETERMINATION**

To: Ann Schneider, Secretary

From: William Frey, Director

Date: July 13, 2012

Re: FAP 788, Contract Number 76F69, St. Clair County

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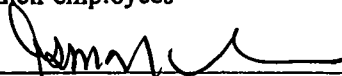
In accordance with Executive Order 2003-13 (Blagojevich), it is recommended that a project labor agreement (PLA) be utilized for the above-captioned Project. This recommendation is based on the considerations indicated below.


- 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.  
SEE ATTACHMENT A
- 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.  
SEE ATTACHMENT A
- 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.
- 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.

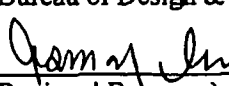
- 9) Use of a PLA is expected to result in improved access to skilled labor, improved efficiency, or improved safety performance on the Project
- 10) Use of a PLA on the Project is not expected to have a material adverse effect on the competitive bidding process.
- 11) Use of a PLA on the Project is 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 too binding upon all contractors and their employees

Agreed:  (Date)  
{Division Chief}

Agreed:  12/19/2012 (Date)  
{Bureau of Design & Environment}

Agreed:  12/12/12 (Date)  
{Regional Engineer}

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

FHWA concurrence in the PLA for the above mentioned contract.

Gregory G. Nadeau	8/14/2012
FHWA Deputy Administrator	(see attached approval page)

**ATTACHMENT A:**

**JUSTIFICATION FOR USE OF PROJECT LABOR AGREEMENT ON FAP 788, CONTRACT NUMBER 76F69, ST. CLAIR COUNTY, WHICH IS LOCATED ON NEW ALIGNMENT FROM APPROXIMATELY 600 FEET NORTH OF RIVERPARK DRIVE TO APPROXIMATELY 900 FEET NORTH OF MISSOURI AVENUE.**

**ITEM 3:** Estimated project cost is \$2,000,000. The project length is approximately 0.2 miles.

The overall project scope consists of:

- Construction of dual structures (land bridges) carrying proposed Relocated IL 3 under the Martin Luther King Drive approach bridges.
- Earthwork for constructing the bridge cones for the above structures as well as ditches.

This work is being constructed on new alignment with little to no impact to vehicular traffic on nearby roadways. However, construction has the potential to impact traffic on adjacent railroads and will require close and constant coordination with railroad entities. Any disruptions in communications with railroads due to labor issues could cause delays and/or legal issues for the Department that could potentially jeopardize already strained relations with the railroads. With additional coordination with railroads also required for future adjacent Relocated IL 3 contracts, continuity in communications with the railroads is essential to the project.

With the strong likelihood that adjacent Relocated IL 3 contracts will be under construction simultaneously, coordination and cooperation is also essential between work forces of the various Relocated IL 3 contracts and would ensure efficient production thereby decreasing potential for project delays due to conflicting activities or other causes.

It is anticipated that lapsing trade agreements on this project would be addressed through the use of a Project Labor Agreement. It is the Illinois Department of Transportation's finding that the large skilled workforce needed for this project can be provided by the union trades involved and is a necessary requirement for a Project Labor Agreement.

**ATTACHMENT A (cont'd):**

**ITEM 6:** This project is a working day contract. The estimated time to complete is 110 working days.

The following collective bargaining agreements will expire during the letting process and construction of this project:

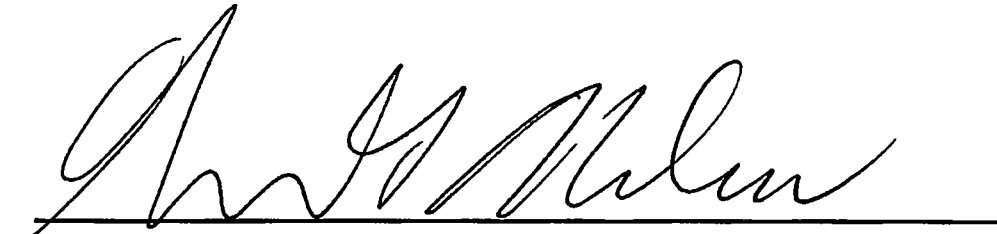
- |  |                 |
|--|-----------------|
| • Carpenters D.C. (618-277-2033)         | Exp. 04/30/2013 |
| • Cement Masons 90 (618-667-2562)        | Exp. 07/31/2012 |
| • IBEW 309 (lineman) (618-345-5112)      | Exp. 12/01/2013 |
| • Iron Workers 392 (618-874-0313)        | Exp. 07/31/2013 |
| • Laborers D.C. (618-234-2704)           | Exp. 07/31/2013 |
| • Operating Engineers 520 (618-931-0500) | Exp. 07/31/2012 |
| • Teamsters 50 (618-233-0313)            | Exp. 07/31/2012 |

PLA Request

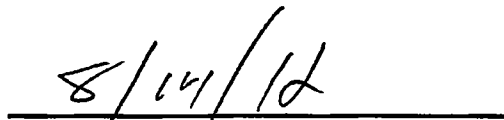
Approval of Project Labor Agreement

Disapproval of Project Labor Agreement

Reason for disapproval:



Signature



Date

Execution Page

Illinois Department of Transportation

  
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Omer M. Osman, P.E. Director of Highways, Chief Engineer

  
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Matthew R. Hughes, Director Finance & Administration

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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:


**Execution Page**

**Illinois Department of Transportation**

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Omer M. Osman, P.E. Director of Highways, Chief Engineer

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Matthew R. Hughes, Director Finance & Administration

  
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Michael A. Forti, Chief Counsel

  
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Ann L. Schneider, Secretary

1-14-13  
(Date)

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December 13, 2012  
(Date)

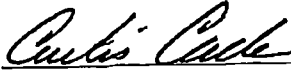
**List Union Locals:**




Jim Allen  
Bricklayers



Terry Lynch  
Heat & Frost Insulators & Allied  
Workers



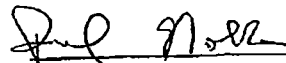
Curtis Cade  
United Association



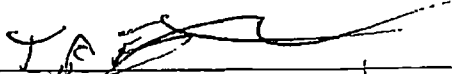
Richard Mathis  
Roofers

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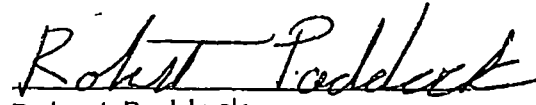
Ed Christensen, Elevator  
Constructors



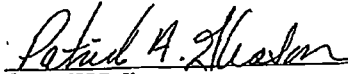
Paul Noble  
IBEW



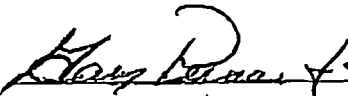
Terry Fitzmaurice  
Painters



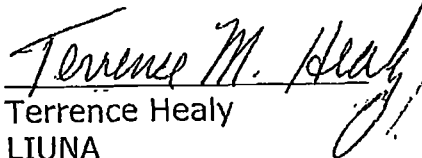
Robert Paddock  
IUOE



Pat Gleason  
Teamsters



Gary Perina Jr.  
Carpenters



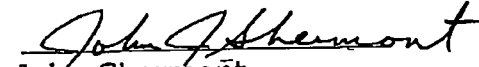
Terrence Healy  
LIUNA



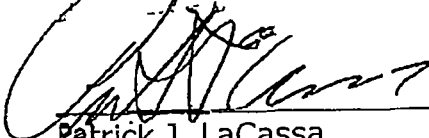
Brian Mulheran  
Sheet Metal Workers



Tadas Kicieliniski  
Iron Workers



John Skermont  
Boilermakers



Patrick J. LaCassa  
OPCMIA

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





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