

**IDOT PROJECT LABOR AGREEMENT DETERMINATION**

To: Omer Osman, Secretary

From: Masood Ahmad, Region 2 Engineer

Date: September 22, 2023

Re: I-39, Contract Number 64R71, Winnebago County  
{I-39/Harrison Avenue DDI-Blue Contract}

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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.

**FAI 39 (I-39) & FAP 525 Section (5)RS & (5&5HB)RC**

**Contract No. 64R71**

**Winnebago County**

**Item** [Click here to enter text.](#)  
**Fed. Proj. No. 6QNF(571)**

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:

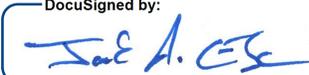
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Based upon the identified considerations, we recommend that you approve use of a PLA on this Project. Upon your approval, the Department shall undertake to negotiate in good faith a PLA with the relevant labor organization(s) and shall include in all 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:  12/15/2023 | 12:16 PM CST  
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{Division Chief} (Date)

Agreed:  12/15/2023 | 10:52 AM CST  
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{Bureau of Design & Environment} (Date)

Agreed:  9-25-23  
{Regional Engineer} (Date)

Approved:  12/21/2023 | 2:22 PM CST  
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Omer Osman, Secretary (Date)

FHWA concurrence in the PLA for the above mentioned contract

**MICHAEL W SMART** Digitally signed by MICHAEL W SMART  
Date: 2023.12.05 16:14:11 -06'00'  
FHWA (Date)

**FAI 39 (I-39) & FAP 525 Section (5)RS & (5&5HB)RC**  
**Contract No. 64R71**  
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**Attachment A**

The use of a Project Labor Agreement (PLA) for Contract 64B13 is consistent with all State and Local statutory and regulatory requirements.

**Project Description:**

*The 64R71 contract includes the replacement of the cloverleaf interchange at Harrison Ave and I-39 via reconstruction. The proposed improvements include a Diverging Diamond Interchange (DDI), patching and resurfacing, tree removal, a new Multi-use path and new traffic signals. This project will be constructed with staged construction with no detours.*

**Item 3:**

This project includes both state and federal funding and the programmed cost for the project is \$35,000,000. Any disruption in the continuity of this project due to labor issues would result in the delay of deadlines which would cause safety concerns for the travelling public. Lapsing trade contracts during the project duration would be addressed through 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 union trades involved and is a necessary requirement for a Project Labor Agreement.

**Item 4:**

This project is scheduled to be let in January 2024 and work is expected to begin in the spring of 2024. The project schedule has Completion Date of November 21, 2025 for the substantial completion of the DDI interchange at I-39/ Harrison Avenue with 30 added working days for non-essential items such as landscaping. In addition there are interim completion dates with in the contract one being an interim completion date of June 30, 2024 for the Maill Drive work, and June 30, 2025 for the Stage 3B work. Any labor issues could put the project at risk of exceeding the required timeframes and exposing workers and the travelling public to additional hazards.

**Item 6:**

The targeted completion timeframe of the contract falls beyond the union contract expiration dates noted below:

<u>Local</u>	<u>Location</u>	<u>Classification</u>	<u>Contract Expiration</u>
166	ILLINOIS	CARPENTER	4/30/2025
32	ROCKFORD	LABORER	5/31/2024
150	ROCKFORD	OPERATOR	4/30/2024
325	ROCKFORD	TEAMSTER	5/31/2024
382	ROCKFORD	CEMENT FINISHER	5/31/2025
498	ROCKFORD	IRON WORKER	5/31/2025
792	ROCKFORD	CARPENTER	4/30/2025
2158	ROCKFORD	MILLWRIGHT	5/31/2025

**Item 8:**

The proposed work will require intricate staging of a diverging diamond interchange that will result in lane reductions. The lane reductions and staging of traffic will cause an increase in queues and delays along the US 20 corridor and potentially I-39. In addition the volume of the mainline section being staged will impact 50,000 vehicles daily Delays in work due to labor disputes would jeopardize the completion schedule for the project and unnecessarily increase the duration of construction operations in this highly traveled interstate urban area.

**FAI 39 (I-39) & FAP 525 Section (5)RS & (5&5HB)RC**

**Contract No. 64R71**

**Winnebago County**

**Item** Click here to enter text.

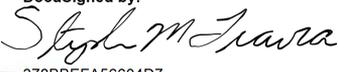
**Fed. Proj. No. 6QNF(571)**

Item 9:

The use of a PLA on this project will result in improved access to skilled labor, improved efficiency and improved safety performance because it will assist in coordinating the labor forces of eight separate trade unions that may be involved in its construction efforts.

Execution Page

**Illinois Department of Transportation**

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Director of Highways Project Implementation

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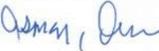

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Director of Finance & Administration

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Michael S. Prater, Acting Chief Counsel

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Omer Osman, Secretary

12/21/2023 | 2:22 PM CST

(Date)

**Illinois AFL-CIO Statewide Project Labor Agreement Committee, representing the  
Unions listed below:**



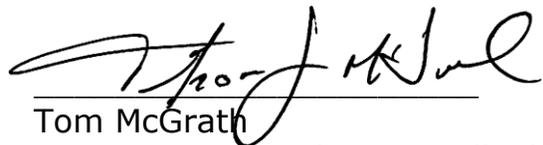
12/14/2023

(Date)

List Unions:



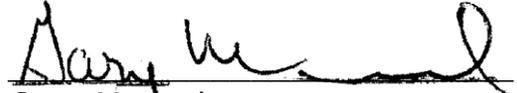
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Bricklayers



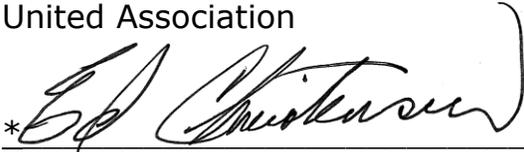
Tom McGrath  
Heat & Frost Insulators & Allied  
Workers



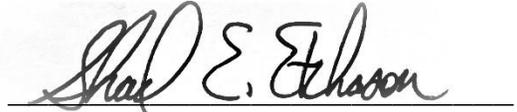
Evan Wooding  
United Association



Gary Menzel  
Roofers & Waterproofers



\*Ed Christensen  
Elevator Constructors



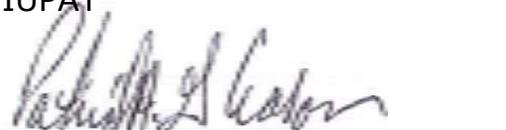
Shad Etchason  
IBEW



Ryan Anderson  
IUPAT



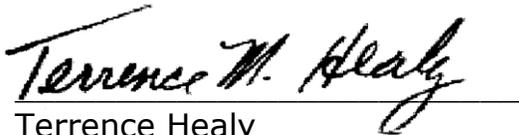
Michael R Kresge  
IUOE



Pat Gleason  
Teamsters



Ron Culbertson  
Carpenters



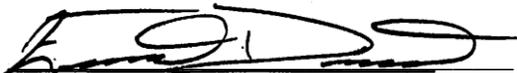
Terrence Healy  
LIUNA



Daniel M. Ahern  
Sheet Metal Workers



David Beard  
Iron Workers



Eric S. Davis  
Boilermakers



Kevin J. Farley  
OPCMIA

\*Elevator Constructors master agreement language  
must be attached to PLA