

Item 106

IDOT PROJECT LABOR AGREEMENT DETERMINATION

To: Gary Hannig, Secretary
From: Christine M. Reed, Director
Date: April 7, 2011
Re: FAI-270 (I-270), Contract Number 76A91, Madison County
{June 17, 2011 Letting}

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

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: Christie Reed 5/25/11
{Division Chief} (Date)

Agreed: S. Smith 5/29/11
{Bureau of Design & Environment} (Date)

Agreed: Max Crum 5-18-11
{Regional Engineer} (Date)

Approved: Gary Mannig by Ann L. Schneider 5/25/11
Gary Mannig, Secretary By: Ann L. Schneider (Date)
Chief Operating Officer

FHWA concurrence in the PLA for the above mentioned contract.

[Signature] 5/16/11
Division Administrator FHWA (Date)

CONTRACTS

MAY 20 2011

OFFICE

ATTACHMENT A:

JUSTIFICATION FOR USE OF PROJECT LABOR AGREEMENT ON FAI-270 (I-270), CONTRACT NUMBER 76A91, MADISON COUNTY WHICH INVOLVES THE REPLACEMENT OF THE STRUCTURES CARRYING I-270 OVER THE CHAIN OF ROCKS CANAL.

ITEM 2: This project is federally funded.

ITEM 3: Estimated project cost is \$100,000,000. The project length is approximately 1.37 miles.

The overall project scope consists of:

- Replacing the two existing identical twelve span 1991'-11" structures which consists of four approach spans at the west end and five approach spans at the east end. The approach spans are continuous steel plate girders. The main spans consist of a three-span cantilevered through truss. In addition, this project includes the relocation of the Chain of Rocks Levee under the structure, a mechanically stabilized earth retention wall along I-270 east of the structure, interstate highway construction on a new alignment, partial interchange reconstruction at IL Route 3, drainage improvements, construction of sign structures, box culvert construction, new highway lighting and demolition of the existing structures.
- The structure spans the Chain of Rocks Canal, two U.S. Army Corps of Engineers (USACE) levees ("saddle dam"/Levee Road on the west and the Chain of Rocks Levee on the east), Waterworks Road, Chouteau Place Road, MCT bike trail, as well as various buried utilities.
- All work restricting canal traffic will require coordination with the United States Coast Guard (USCG). Due to its heavy use by barge traffic, the USCG is of the opinion that it will only permit intermittent closures of no more than one day at a time.
- This work will be stage constructed.

Any disruption in the continuity of this project due to labor issues could have an adverse "ripple" effect due to the need for extensive coordination to: complete the relocation of the USACE levee, complete work on the new structure as it spans an active USCG-controlled canal and to demolish the old structures (also spanning the USCG-controlled canal), while also maintaining a bike trail that must remain open during construction. In order to close the canal to all river traffic, the USCG must be notified several days in advance. In order to keep these closures to a minimum, and to ensure that these closures are as productive as possible, maintaining a steady workforce is crucial.

In addition, the relocation of the USACE-controlled levee (and its acceptance by USACE) is critical to the construction of the new structure, due to the fact that new Pier 4 is in conflict with

the existing levee. In order for the stage construction to progress as anticipated, it is crucial that certain items of work (e.g. the levee relocation) be completed prior to the start of winter so that the substructure work can continue during the winter months. If the levee relocation is delayed by the onset of winter, work on the substructure may be halted. A delay in this work may delay the project by several months.

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 workforce needed for this project can be provided by the union trades involved.

ITEM 5: Due to the deteriorating condition of the existing truss structures, and the Illinois Department of Transportation's concern that weight restrictions may be imposed on the structures, or in the worst case scenario, closure may be recommended, this project has a completion date of December 1, 2013 to move all traffic from the existing truss structures to the new structure and to close the existing structures to all traffic. (An additional sixty-five (65) working days are permitted in order to complete all remaining work.)

In order to achieve this accelerated completion date, it is anticipated that work must continue year-round. Due to high traffic demands and the limited number of interstate traffic lanes available to cross from Illinois to Missouri, it is not practical to close the existing structures and detour traffic. Recently, a crash closed the westbound lanes of I-270 over Chain of Rocks Canal during the morning rush hour. Traffic backups on all other routes leading from Illinois into Missouri lasted for up to three (3) hours.

Also, due to the high traffic demands, it will be necessary for the contractor to confine any work requiring lane restrictions to 9PM to 5AM Saturday through Thursday.

If weight restrictions are imposed on the existing structures prior to the new structures being open to traffic, the adverse travel cost/day for the multi unit vehicles would be

ADVERSE TRAVEL COST/DAY IF WEIGHT RESTRICTIONS IMPOSED = \$108,870

If it becomes necessary, due to deteriorating structure conditions, to close the existing structures before the new structure is able to handle traffic, the adverse travel cost per day would be:

Passenger Veh Operating Cost	= (43,388 veh/day) X (\$0.20/mile) X (26.0 miles) X (0.5)
	= <u>\$112,810</u>
Single Unit Truck Operating Cost	= (1,407 veh/day) X (\$0.70/mile) X (26.0 miles) X (0.5)
	= <u>\$12,805</u>
Multi Unit Operating Cost	= (9,305 veh/day) X (\$0.90/mile) X (26.0 miles) X (0.5)
	= <u>\$108,870</u>

ADVERSE TRAVEL COST/DAY = \$234,485

The above calculations are only for roadway vehicular traffic. If the condition of the existing structures is such that they pose a safety hazard to the barge traffic utilizing the canal, and it

becomes necessary to close the canal to barge traffic for an extended period of time, the Department has no method of quantifying the losses that would be suffered by the river industry.

As noted above, any lapsed collective bargaining agreements that would extend the project beyond its completion date would cause significant impacts to the traveling public through adverse travel costs and traffic delays

ITEM 6: The following collective bargaining agreements will expire during the construction of this project:

<u>Local</u>	<u>Current Contract Expiration</u>
Carpenters 633	05/01/2013
Cement Masons 90	07/31/2012
IBEW 309 (lineman)	12/01/2013
IBEW 309 (wireman)	08/28/2011
Iron Workers 392	07/31/2013
Laborers 397	07/31/2013
Operating Engineers 520	07/31/2012
Teamsters 525	04/30/2012

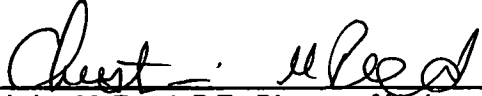
ITEM 8: As can be seen by the discussion of the overall project scope above, this project will be challenging to manage. The consultant has suggested seven (7) construction stages. With the exception of Stage 7, each stage will require temporary pavements and/or temporary connectors. Any work stoppage will increase the length of time the traveling public will be exposed to the complex staging for this project. Labor continuity would minimize the amount of time the traveling public would have to utilize the stage construction, thus reducing the safety concern

In recognition of the existing structures' deteriorating condition, the Illinois Department of Transportation has provided an accelerated completion date to move all traffic onto the new structure and to close the existing structures to traffic. The Department has also provided incentives to the contractor in order to encourage the contractor to move the traffic onto the new structure even sooner. If the contractor is able to take advantage of the entire incentive provided, the total incentive is \$500,000.

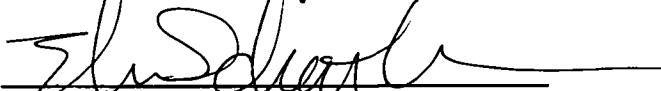
Once again, labor continuity would minimize the potential amount of time that the traveling public would have to find alternate routes should the condition of the existing structures warrant weight restrictions or closure prior to placing the new structure into service. This too would reduce the amount of time the traveling public is exposed to a safety concern.

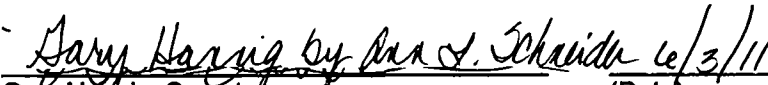
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Illinois Department of Transportation

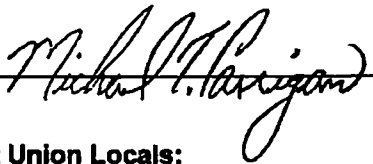

Christine M. Reed, P.E., Director of Highways


Matthew R. Hughes, Director Finance & Administration


Ellen Schanzle-Haskins, Chief Counsel


Gary Harnig, Secretary By. Ann Schneider (Date)
Chief Operating Officer

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



May 25, 2011
(Date)

List Union Locals:

John Thompson
John Thompson, Vice President
Bricklayers

Donald Moss
Donald Moss, Pres-Business Mgr
Cement Masons

Ed Christensen *
Ed Christensen, Director
Elevator Constructors

Eric Dean
Eric Dean, Int'l Representative
Iron Workers

Terry Fitzmaurice
Terry Fitzmaurice, Representative
IUPAT *N.E.T.*

Terrence M. Healy
Terrence Healy, Int'l Representative
LIUNA

Tony Mroczkiewicz
Tony Mroczkiewicz, Representative
Midwestern District UBC

Terry Lynch
Terry Lynch, Int'l Representative
Asbestos Workers

Richard Mathis
Richard Mathis, President
Roofers

Curtis Cade
Curtis Cade, Int'l Representative
Plumbers & Pipe Fitters

Robert Paddock
Robert Paddock, Representative
IUOE State Council

John Skermont
John Skermont, Business Representative
Boilermakers

George Slater
George Slater, President
Sheet Metal State Council

Lonnie Stephenson
Lonnie Stephenson, Int'l Representative
IBEW

Pat Gleason
Pat Gleason, Chairman
IL Conference of Teamsters &
Construction Division

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