

**IDOT PROJECT LABOR AGREEMENT DETERMINATION**

To: Gary Hannig, Secretary

From: Christine M. Reed, Director

Date: August 16, 2010

Re: FAP-312 (IL-3), Contract Number 76882, St. Clair County  
{November 5, 2010 Letting}

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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).  
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.  
SEE ATTACHMENT A

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.

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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: Christ M Reed 10/6/10  
{Division Chief} (Date)

Agreed: Scott Smith 9/30/10  
{Bureau of Design & Environment} (Date)

Agreed: Mary C Jamie 9-28-10  
{Regional Engineer} (Date)

Approved: Gary Hannig 10-6-10  
Gary Hannig, Secretary (Date)

FHWA concurrence in the PLA for the above mentioned contract.

Norman R Stone 9/24/2010  
Division Administrator FHWA (Date)

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**ATTACHMENT A:**

**JUSTIFICATION FOR USE OF PROJECT LABOR AGREEMENT ON FAP-312 (IL-3), CONTRACT NUMBER 76882, ST. CLAIR COUNTY WHICH INVOLVES THE REPLACEMENT OF THE STRUCTURE CARRYING IL ROUTE 3 OVER THE UNION PACIFIC RAILROAD, NORTH OF DUPO.**

ITEM 2: This project is federally funded.

ITEM 3: Estimated project cost is \$20,000,000. The project length is approximately 0.37 miles.

The overall project scope consists of:

- Replacing the existing 902' - 9 ½" structure which consists of one 3-span continuous WF beam unit, one 3-span continuous girder unit, one through truss, and one 3-span continuous WF beam unit with a 4-span 990' - 0" structure.
- The structure spans the Metro East Sanitary District Levee, the Metro East Levee Bike Trail, two active UPRR tracks, and the Prairie DuPont Levee and Sanitary District Levee, as well as a buried petroleum pipeline and other buried utilities.
- All work over the UPRR tracks will require coordination with railroad flaggers and several track closures with durations from 4 - 12 hours and, possibly, closures over holidays.
- IL-3 at this location will be closed and traffic will be detoured for the duration of the project.

As can be seen by the scope of work above, any disruption in the continuity of this project due to labor issues could have a "ripple" effect due to the need for extensive coordination to complete work that is over, not only two active railroad tracks, but also a bike trail that must remain open during construction. In order to close the tracks to rail traffic, the railroad must be notified several days in advance of the closure so that trains from several states can be re-routed, thus, maintaining a steady workforce is crucial.

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 4: This project is anticipated to take 200 working days to complete and will be conducted over two construction seasons, with work anticipated to continue year-round. The structure will be closed during construction, and all vehicular traffic will be detoured. The adverse travel cost per day for the detour is \$3,413 based upon the following:

Passenger Veh Operating Cost = (11,296 veh/day) X (\$0.20/mile) X (2.0 miles) X (5) = \$2,260

Single Unit Truck Operating Cost = (778 veh/day) X (\$0.70/mile) X (2.0 miles) X (5) = \$545

Multi Unit Operating Cost = (676 veh/day) X (\$.90/mile) X (2.0 miles) X (0.5)  
= \$608

ADVERSE TRAVEL COST/DAY = \$3,413

Of considerable concern is the extensive coordination that will be required with the railroad in order that track closures can be utilized during critical phases of the project. Certain items of work, e.g. demolition of the existing truss span over the railroad, will require track closures that will most likely exceed the track closure hours the railroad will allow during a typical day when trains are in service. In instances such as these, the contractor will be required to coordinate a closure over a holiday when trains would not be operating. Lapsing trade agreements with any of the Locals defined in Item 6 may cause project work stoppages at these critical track closure times and re-scheduling will cause significant delays.

For example, if the contractor coordinates a holiday closure over July 4<sup>th</sup> in order to perform the truss span demolition, and a labor strike occurs which forces the demolition to be moved to Labor Day, this will result in an adverse travel cost of \$3,413/day for approximately 60 days or \$204,780.

In addition, while the railroad has agreed, in principle, to work with the Department to coordinate all track closures in a timely manner, this project may need up to 48 different track closures, thus any delays in utilizing previously approved track closures will result in further coordination and resulting project delays of several days to a few weeks. (A track closure of any duration, say 4 or more hours, requires the re-routing of several trains in numerous states in order to avoid this vital track line. The Department is not able to quantify the cost to the railroad for any coordination of a track closure that, due to a labor strike, is not cancelled in time to stop the re-routing of trains.)

Of course, because this contract is being done under full structure closure, any delays to the contract due to a lapsed collective bargaining agreement will result in an adverse travel cost of \$3,413/day.

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

<u>Local</u>	<u>Current Contract Expiration</u>
Carpenters 169 / 1997	05/01/2013
Cement Masons 90	07/31/2012
IBEW 309 (lineman)	12/05/2010
IBEW 309 (wireman)	08/28/2011
*Iron Workers 392	06/30/2013
*Laborers 100	07/31/2013
Operating Engineers 520	07/31/2012
Teamsters 50	04/30/2012

\*Only if delays force work beyond the estimated completion.

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