

IDOT PROJECT LABOR AGREEMENT DETERMINATION

To: Ann L. Schneider, Secretary

From: Omer Osman, Director

Date: May 17, 2013

Re: FAP Route 303 (IL 173), Contract Number 64988, Winnebago County

{Reconstruction of IL 173 from Alpine Road to 0.6 mi. east of Mitchell Rd. in
Machesney Park/Loves Park}

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). (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. (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.
- 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. (See Attachment A)

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.

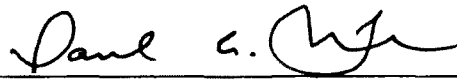
11) Use of a PLA on the Project is not expected to have a material adverse effect on the ability of the Department to achieve other Departmental goals (c.g., utilization of disadvantaged businesses, utilization of Illinois domiciled businesses, development of competitive vendor alternatives over time, 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:  7/24/13
{Division Chief} (Date)

Agreed:  7/17/13
{Bureau of Design & Environment} (Date)

Agreed:  7/23/13
{Regional Engineer} (Date)

Approved:  7/26/13
Ann L. Schneider, Secretary (Date)


By Susan Wolfsberger,
FHWA concurrence in the PLA for the above mentioned contract AA II

Gregory G. Nadeau	6/18/2013
FHWA Deputy Administrator	(see attached approval page)

IL 173 from Alpine Road to 0.6 mi. E. of Mitchell Rd. in Machesney Park/Loves Park

Attachment A

Justification for use of Project Labor Agreement (PLA) on contract 64988, Winnebago County.

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

Item 2: This project is federally funded.

Item 3: Estimated project cost is \$22,000,000.00

Any disruption in the continuity of this project due to labor issues would result in delayed deadlines that would cause safety concerns for the traveling public. Lapsing trade contracts during the first stage of the Project would be addressed through the use of a PLA. 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 PLA.

Item 4: The Project is being staged over three construction seasons.

The IL 173 is a two lane highway with left turns at major intersections in a commercial area that includes large box stores and restaurants. The scope of the project is to reconstruct and widen to 4 lanes with dual lefts at major intersections. The project will also include new curb & gutter, storm sewer, and a multi-use path. The Village of Machesney Park depends on sales tax and has requested that all lanes be open during the Christmas season, and that we complete all construction between Alpine Road and Perryville Road in 2014 prior to Thanksgiving.

The project will generally be staged to maintain one lane of traffic in each direction with a left turn lane at major intersections. The elevation difference between existing and proposed roadway along IL 173 and heavy volumes of traffic at major intersections makes it challenging to maintain access to the business district. The cross roads will require closure with time constraints built into the plans at different stages in 2014.

Item 5: Completion Date is November 6, 2015 with several interim completion dates in 2014. The project also has an Incentive/Disincentive provision for the year 2014 to finish all work between Alpine Road and Perryville Road by November 7, 2014.

Item 7: In the case of PLA disputes, the completion date of the Project will be in jeopardy.

Item 8: Any disruption to the contractor's schedule due to labor issues may result in the delay of the project completion date and may result in the diversion to one lane traffic being in place past the interim and final deadline. This additional diversion, especially if left over the winter months, may contribute to additional exposure to crashes through the work zone due to the inherent risk of driver attention to lane changes, etc. that will be in place during stage construction in a commercial area with major box stores and heavy volumes of traffic.

PLA Request

Approval of Project Labor Agreement

Disapproval of Project Labor Agreement

Reason for disapproval:

A handwritten signature in black ink, appearing to read "G. M. Nelson", written over a horizontal line.

Signature

6/18/13

Date

Execution Page

Illinois Department of Transportation

Omer Osman
Omer Osman, Director of Highways

Matthew R. Hughes
Matthew R. Hughes, Director Finance & Administration

M. A. Forti
Michael A. Forti, Chief Counsel

Ann L. Schneider
Ann L. Schneider, Secretary

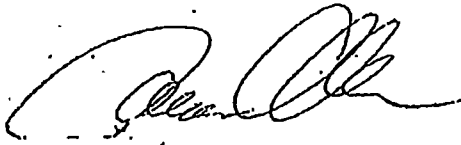
Susan Wolfsberger 7/26/13
(Date)

By Susan Wolfsberger,
AA II

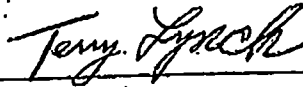
Illinois AFL-CIO Statewide Project Labor Agreement Committee, representing the local unions listed below:

Michael T. Carrigan July 12, 2013
(Date)

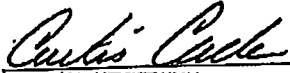
List Union Locals:



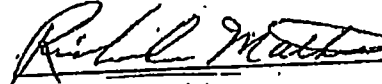
Jim Allen
Bricklayers



Terry Lynch
Heat & Frost Insulators & Allied
Workers




Curtis Cade
United Association



Richard Mathis
Roofers

*

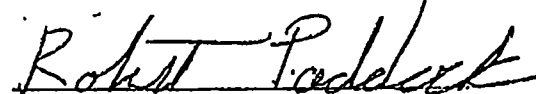
Ed Christensen, Elevator
Constructors



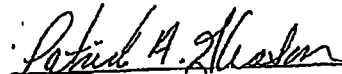
Paul Noble
IBEW



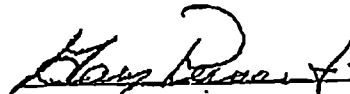
Terry Fitzmaurice
Painters



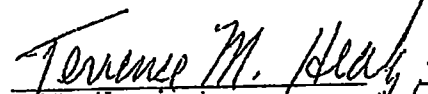
Robert Paddock
IUOE



Pat Gleason
Teamsters



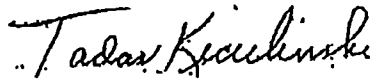
Gary Perlnar Jr.
Carpenters



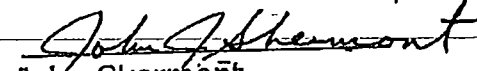
Terrence Healy
LIUNA



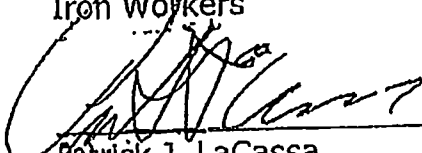
Brian Mulheran
Sheet Metal Workers



Tadas Kicellinski
Iron Workers



John Skermont
Boilermakers



Patrick J. LaCassa
OPCMIA

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