

IDOT PROJECT LABOR AGREEMENT DETERMINATION

Item 26

To: Ann L. Schneider, Secretary
From: William R. Frey, Interim Director
Re: FAP 639 (IL 17) & FAP 37 (US 34) / Contract #64G09
Date: February 16, 2012

April 27, 2012 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 government 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 (November 18, 2013) 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).

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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 (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: William R Frey 4/11/12
 {Division Chief} AAW (Date)

Agreed: [Signature] 3/30/12
 {Bureau of Design & Environment} (Date)

Agreed: [Signature] 3/6/12
 {Regional Engineer} (Date)

Approved: Ann L. Schneider 4/11/12
 Ann L. Schneider, Secretary (Date)

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

<u>Gregory G. Nadeau</u>	<u>3/01/2012</u>
FHWA Deputy Administrator	(see attached approval page)

Attachment A

Justification for use of Project Labor Agreement (PLA) on Contract #64G09, Henry County.

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

Item 2: The project is federally funded.

Item 3: Estimated project cost is \$4,900,000

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 a 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 able to be completed in a single construction season. However, there is a General Note in the plans which prevents the Contractor from performing any work east of the IL 17 / I-74 intersection until after the July 4th, 2012 weekend. This General Note was placed in the plans because of the hauling of wind turbines on IL 17 to a wind farm that is being constructed in the area. The note also states that no extra time will be awarded to the contractor due to the work restriction.

Item 5: The project is a 90 working day contract. With the work restriction outlined in Item 4, there would be 80 working days left in the construction season.

Item 7: In the case of the PLA disputes, the completion of the project within the one construction season would be in jeopardy.

PLA Request

Approval of Project Labor Agreement

Disapproval of Project Labor Agreement

Reason for disapproval:



Signature



Date

Execution Page

Illinois Department of Transportation

William R. Frey AAW

William R. Frey, P.E., Interim Director of Highways

Matthew R. Hughes T. Hughes

Matthew R. Hughes, Director Finance & Administration

Ellen Schanzle-Haskins

Ellen Schanzle-Haskins, Chief Counsel

Ann L. Schneider

Ann L. Schneider, Secretary

4/11/12
(Date)

Susan Wolfsberger

By Susan Wolfsberger,
AA II

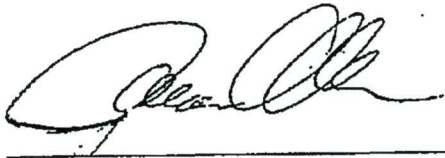
Illinois AFL-CIO Statewide Project Labor Agreement Committee, representing the local unions listed below:

Michael J. Corrigan

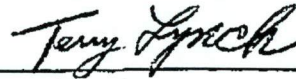
March 28, 2012

(Date)

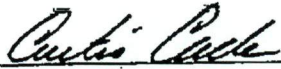
List Union Locals:



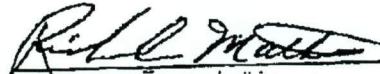
Jim Allen
Bricklayers



Terry Lynch
Heat & Frost Insulators & Allied
Workers



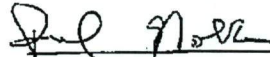
Curtis Cade
United Association



Richard Mathis
Roofers

*

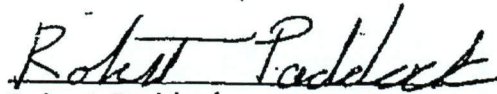
Ed Christensen, Elevator
Constructors



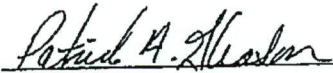
Paul Noble
IBEW



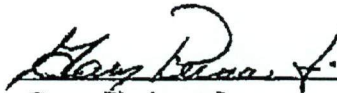
Terry Fitzmaurice
Painters



Robert Paddock
IUOE



Pat Gleason
Teamsters



Gary Perinar Jr.
Carpenters



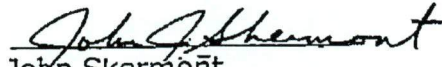
Terrence Healy
LIUNA



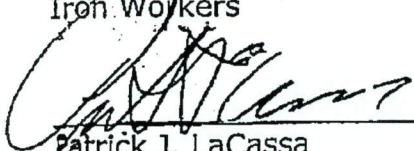
Robert Schneider
Sheet Metal Workers



Tadas Kicielinski
Iron Workers



John Skermont
Boilermakers



Patrick J. LaCassa
OPCMIA

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