

IDOT PROJECT LABOR AGREEMENT DETERMINATION

To: Gary Hannig, Secretary.

From: Christine M. Reed, Director

Date: ~~May 12~~ ~~March 3~~, 2010

Re: FAP 998 (Relocated I-70), Contract Number 76C44, St. Clair County
{~~July 30~~ ~~June 11~~, 2010}

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.

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.

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: See Attachment A

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 7/13/10
{Division Chief} (Date)

Agreed: Sarah Smith 7/10/10
{Bureau of Design & Environment} (Date)

Agreed: M. C. Lami 7/10/10
{Regional Engineer} (Date)

Approved: Gary Hannig 7-23-10
Gary Hannig, Secretary (Date)

FHWA concurrence in the PLA for the above mentioned contract.

Thomas R. Stone 5/26/2010
Division Administrator-FHWA (Date)

Attachment A:

Justification for the use of Project Labor Agreement on Contract #76C44, St. Clair County

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

Item 2: This project is federally funded.

Item 3: The estimated cost of this project is \$42,000,000.

This project is one (1) of twenty-nine (29) projects comprising the New Mississippi River Bridge (MRB) Project. Of the twenty-nine (29) projects, twenty-three (23) will be let by the Illinois Department of Transportation (IDOT) and the other six (6) by the Missouri Department of Transportation (MoDOT). IDOT will utilize Project Labor Agreements on all State funded projects and will be seeking approval from Federal Highway Administration to utilize Project Labor Agreements on all federally funded projects.

This project requires construction on, over and adjacent to three (3) railroad tracks which are owned and operated by two (2) different railroad companies, each of which have their own requirements for working on, over and adjacent to their facilities. Given these challenges, a large skilled workforce is required to meet the overall project completion date of December 31, 2013. It is IDOT'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 Project Labor Agreement.

One of the benefits of the MRB Project is the reduction in travel distance for daily travelers. Using standard costs per mile of \$0.20 and \$0.80 per mile respectively for passenger and commercial vehicles, the daily cost savings to the traveling public created by the reduction in adverse travel is approximately \$15,000 per day in the year the new bridge is opened. Based on the adverse travel savings generated by the opening of the new bridge, IDOT feels the use of a Project Labor Agreement is necessary to avoid any labor related delays.

Item 4: The project is to be constructed during three (3) construction seasons.

This project is dependent upon the completion of Pier #23 to be constructed as part of Contract #76D61.

Item 5: This project must be completed prior to the overall project completion date of December 31, 2013.

Item 6: This project will extend beyond the expiration date of the collective bargaining agreements with the following locals:

- Cement Masons 90 – contract expires on 7/31/2012
- IBEW 309 (lineman) – contract expires on 12/05/2010
- IBEW 309 (wireman) – contract expires on 8/28/2011
- Iron Workers 392 – contract expires on 8/1/2010
- Laborers 100 – contract expires on 7/31/2010
- Operating Engineers 520 – contract expires on 7/31/2012
- Teamsters 50 – contract expires on 4/30/2010

Additionally, this project may extend beyond the expiration date of the collective bargaining agreement with Carpenters Local 169 – contract expires on 5/1/2013.

Item 12: This project is to be constructed in an economically depressed community and IDOT believes a Project Labor Agreement is necessary to ensure local workers have equal opportunity to be utilized on this regionally significant project. IDOT will utilize the model Project Labor Agreement currently being used on State funded projects.