

**IDOT PROJECT LABOR AGREEMENT DETERMINATION**

To: Gary Hannig, Secretary

From: Christine M. Reed, Director

Date: October 13, 2009

Re: FAI 80 (I-80), Contract Number 66908, Item 175, Bureau County  
{November 6, 2009}

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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.

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: See Attachment A

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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: Chris Reed 10/13/09  
{Division Chief} (Date)

Agreed: Charles D. Ingersoll 10-13-09  
{Bureau of Design & Environment} (Date)

Agreed: George Flynn 10/13/09  
{Regional Engineer} (Date)

Approved: Gary Hannig (Date)  
Gary Hannig, Secretary

FHWA concurrence in the PLA for the above mentioned contract.

Alan D. Smith 10/16/09  
Division Administrator FHWA (Date)

Attachment A:

**Justification for use of Project Labor Agreement on Contract #66908, Bureau 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:** Estimated project cost is \$30,400,000

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 Project Labor Agreement. 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 Project Labor Agreement.

**Item 4:** The project is being staged over two construction seasons.

In Stage I, the three structures in the westbound lanes will be replaced, an existing westbound structure over an abandoned railroad will be removed and filled in, the westbound lanes and shoulders will be patched and resurfaced, and two-way traffic will be diverted to the eastbound lanes (one lane in each direction). The completion date for this work is September 3, 2010.

In Stage II, the three structures in the eastbound lanes will be replaced, an existing eastbound structure over an abandoned railroad will be removed and filled in, the eastbound lanes and shoulders will be patched and resurfaced, and two-way traffic will be diverted to the westbound lanes (one lane in each direction). The completion date for this work is September 2, 2011.

**Item 8:** Any disruption to the contractor's schedule due to labor issues may result in the diversion to one-lane traffic being in place past the September staged traffic deadlines. 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 inattention to lane changes, etc. that will be in place during stage construction.

**Item 12:** In addition, user delay costs would be incurred from traffic operating at reduced speeds, due to the diversion being in place for longer than anticipated. User delay cost from stage construction (reduction from 65 mph to 55 mph through the 7.4 mile work zone) will result in 0.02 hours of travel time lost per vehicle. Using a cost of \$15.65 per hour user delay cost for passenger vehicles and \$26.05 per hour user delay cost for trucks, the following daily delay costs are calculated:

Trucks – 8,800 trucks/day\*.02 hours reduction/vehicle\*\$26.05/hour of delay = \$4,584/day

Passenger Vehicles – 13,400 cars/day\*.02 hours delay/vehicle\*\$15.65/hour of delay = \$4,194/day

Total user delay cost for work stoppage while stage construction in place = \$8778/day

*Traffic counts from IDOT 2007 ADT statewide counts*

*User delay costs from "Life Cycle Cost Analysis in Pavement Design", FHWA, September 1998, adjusted to 2009 Consumer Price Index*

*The trades that will be used on this project include but are not limited to the following: Laborers, Carpenters, Operators, Teamsters, Cement Masons, Electricians and Ironworkers.*

*In addition the following Union Contracts will expire during the construction of this contract.*

*Operators union May 31, 2010*

*Laborers union April 30, 2011*

*Teamsters union April 30, 2010*

*Iron Workers union May 31, 2010*