

FAP 338 (IL Route 59)
Contract Number: 60P42
DuPage County
Item 56

IDOT PROJECT LABOR AGREEMENT DETERMINATION

To: Ann L. Schneider, Secretary

From: William R. Frey, Interim Director of Highways

Date: August 27, 2012

Re: FAP 338 (Illinois Route 59): Ferry Road to Aurora Avenue/New York Street
Contract # 60P42 – DuPage County
{November 9, 2012 Letting / Completion Date: October 31, 2013}

In accordance with Executive Order 2010-03 (Quinn), 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).

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.

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

#56

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.

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 too binding upon all contractors and their employees.

Agreed: [Signature] 10/18/12
{Division Chief} (Date)

Agreed: [Signature] 10/18/12
{Bureau of Design & Environment} (Date)

Agreed: [Signature] 10/3/12
{Regional Engineer} (Date)

Approved: [Signature] 10.24.12
Ann L. Schneider, Secretary 1 (Date)

FHWA concurrence in the PLA for the above mentioned contract.

Gregory G. Nadeau	10/01/2012
FHWA Deputy Administrator	(see attached approval page)

Attachment A:

Justification for use of a Project Labor Agreement for Contract No. 60P42 in DuPage County.

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

Item 3: The estimated construction cost is \$5,370,000.

As a result of this project, there will be multiple work zones along the State Highway: IL Route 59 in DuPage County because the work is spread out at 5 different locations necessitating five areas of concurrent work under traffic thus increasing travel times for the community and creating potential delays to the motoring public. The construction schedule is condensed and expedited to meet the established completion date of 10/31/2013. A large skilled workforce is required for the project which can be provided by union trades involved and is a necessary requirement for a Project Labor Agreement.

Item 5: The anticipated project letting is November 9, 2012 and the contract completion date for construction is October 31, 2012 which means that the contractor needs to start work as early as possible to begin excavation, drilling soldier piles, setting piles and start construction of the five retaining walls in this contract. The 5 retaining walls are spread out location-wise along the majority of the IL 59 corridor between Ferry Road and Aurora Avenue /New York Street. These retaining walls are critical to the future upcoming mainline contracts and represent advance work. These retaining walls were selected because of the critical nature of the work as a basis for work to come. Therefore, it will be imperative for the contractor to complete this work so that future contracts can get going for the mainline construction of the IL 59 corridor. The upcoming contracts are targeted to follow within 2-3 months after the start of this advance contract.

Item 6: The targeted completion date of this contract is October 31, 2013 and this date falls beyond the union contract expiration date as shown below:

Collective Bargaining Agreements

Construction and General Laborers' District Council of Chicago & Vicinity

- Road Building Various Local Unions 6-1-10 to 5-31-13

Operating Engineers, Local 150

- Heavy, Highway & Underground 6-1-10 to 5-31-13

Teamsters Joint Council No. 25 - Local 179	still being negotiated
Technical Engineers, Local 130	6-1-10 to 5-31-13
Electricians,	
• McHenry, Lake, Kane, DuPage	
Local 117	
• Inside Agreement	6-4-2012 to 5-31-2013
Local 150	
• Inside Agreement	6-4-2012 to 6-2-2013
• Telecommunication Agreement	6-4-2012 to 6-2-2013
Local 461	
• Inside Agreement	6-4-2012 to 6-2-2013
• Telecommunication Agreement	6-4-2012 to 6-2-2013
Local 701	
• Inside Agreement	6-4-2012 to 6-2-2013
• Telecommunication Agreement	6-4-2012 to 6-2-2013
Ironworkers Local 1	
• Structural	Still being negotiated Extension on agreements

Item 8: The project is planned to be built in one construction season by use of one lane closure in the northbound and southbound direction for the proposed five retaining walls construction. The location of the five walls is spread out along the majority of the IL 59 corridor which means there is a substantial one lane closure in both directions of travel in the northbound and southbound direction. IL Route 59 currently has 3 lanes in each direction with an average daily traffic (ADT) exceeding 50,000 vehicles per day (2009 counts) and a posted speed limit of 45 miles per hour. Through the proposed traffic staging of this contract, one third of the traffic capacity is being taken away from the motoring public which makes travel within this corridor cumbersome with potential delays; with the absence of proper adjacent parallel and continuous routes, adverse travel conditions are anticipated.

Item 12: The project is planned to be completed in one construction season which does not allow for any delays by the work force involved in the project. The trades expected to be used on this project include but are not limited to laborers, carpenters, masons, operators, electricians and ironworkers. Any work stoppage due to expiration of contracts or strikes will jeopardize the construction resulting in inconvenience to the motoring public, safety concerns and increased delays.

PLA Request

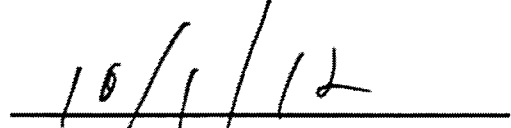
Approval of Project Labor Agreement

Disapproval of Project Labor Agreement

Reason for disapproval:



Signature



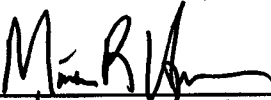
Date

Execution Page

Illinois Department of Transportation



William R. Frey, Interim Director of Highways



Matthew R. Hughes, Director Finance & Administration



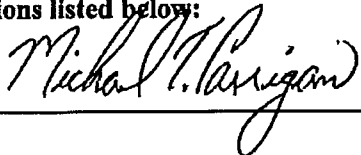
Ellen Schanzle-Haskins, Chief Counsel



Ann L. Schneider, Secretary

10-24-12
(Date)

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



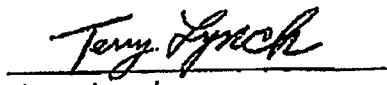
October 16, 2012

(Date)

List Union Locals:



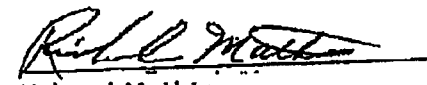
Jim Allen
Bricklayers



Terry Lynch
Heat & Frost Insulators & Allied
Workers



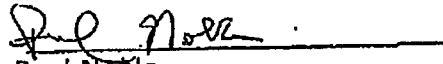
Curtis Cade
United Association



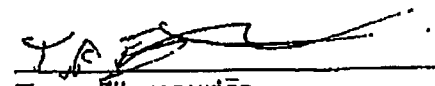
Richard Mathis
Roofers

*

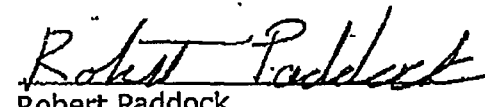
Ed Christensen, Elevator
Constructors



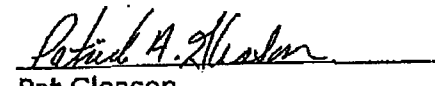
Paul Noble
IBEW



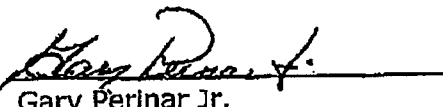
Terry Fitzmaurice
Painters



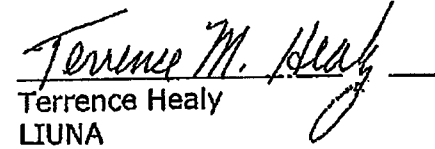
Robert Paddock
IUOE



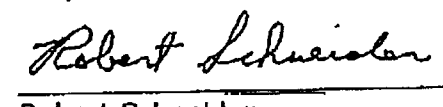
Pat Gleason
Teamsters



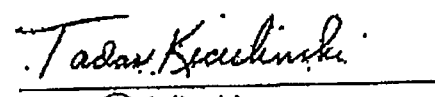
Gary Perinar Jr.
Carpenters



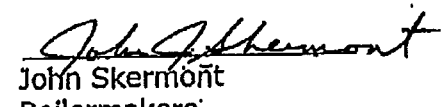
Terrence M. Healy
LIUNA



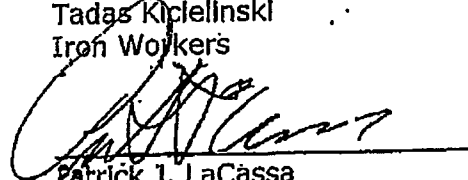
Robert Schneider
Sheet Metal Workers



Tadas Kicieliniski
Iron Workers



John Skermont
Boilermakers



Patrick J. LaCassa
OPCMIA

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