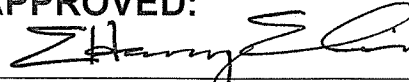


**SAN FRANCISCO PUBLIC UTILITIES COMMISSION
WATER SYSTEM IMPROVEMENT PROGRAM
CONSTRUCTION MANAGEMENT PROCEDURES**

**SECTION: WSIP CONSTRUCTION
MANAGEMENT**

APPROVED:



**PROCEDURE NO.: 040
TITLE: PROJECT LABOR
AGREEMENT (PLA)**

DATE: 08/28/09

REVISION NO.: 1

1.0 Policy

The WSIP Project Labor Agreement (PLA) is required for each WSIP Construction Contract with an Engineer's Estimate equal to or greater than \$ Five (5) million.

This CM Procedure applies to all personnel working on the Water System Improvement Program (WSIP) to the extent that their Work is affected by these WSIP Construction Management (CM) Procedures and does not conflict with specific San Francisco Public Utilities Commission (SFPUC) Policies or the contract under which the Work is executed.

2.0 Description

This CM Procedure specifies the requirements for executing the WSIP Project Labor Agreement ("PLA"). The purpose of the PLA is to promote efficiency of construction of the WSIP ("the Project") by facilitating communication, education and partnerships among the SFPUC, Craft Unions, Contractors, and contract-enforcement agencies to identify and resolve issues, to enhance understanding and compliance with the labor-related policies and regulations, and to provide for peaceful settlement of labor disputes and grievances without strikes or lockouts, thereby promoting the public interest in assuring the timely and economical completion of the Project.

3.0 Definitions

3.1 WSIP Project Labor Agreement – Letter of Assent

The Contractor and all Subcontractors, regardless of tier, must sign an Letter of Assent to the PLA to be awarded the WSIP Project Contract. This letter binds the Contractor and all Subcontractors to the terms, including amendments and supplements (if any), of the PLA. It does not bind any Contractor to a union agreement.

3.2 Project Labor Agreement (“PLA”)

The PLA provides the framework and guidelines for the SFPUC, the Contractor, all Subcontractors, the applicable craft unions, and the contract-enforcement agencies to identify and resolve issues and provide peaceful settlement of labor disputes and grievances without strikes or lockouts.

3.2.1 The PLA defines the requirements for bidding including, but not limited to, application of California prevailing wages, fringe benefit payments, rest periods, substance abuse testing, trucking and attendance at the Pre-Job Conference.

3.3 Pre-Job Conference

The Pre-Job Conference is mandatory for the successful Contractor and all Subcontractors, the SFPUC Project and Program Construction Managers, and the affected Building & Construction Trades Council.

3.3 Scheduled prior to the Notice-to-Proceed (NTP), the purpose of the meeting is for the Contractor and Subcontractors to inform interested construction unions of project particulars including work hours, safety & health, parking, peak craft workforce and jurisdictional assignment of respective scopes of work. Substance abuse testing and local area employment considerations are also covered in the Pre-Job Meetings.

3.4 Project Labor Plan

Contractors will be required to prepare a Project-Specific Labor Plan addressing local workforce participation, recruitment and retention of apprentices, craft manpower requirements, and contingency plans to alleviate any craft shortages that might be experienced during construction.

3.4.1 The Project Labor Plan identifies the responsible person to address and resolve the identified issues, as well as any grievances that might arise. The plans are reviewed by the PLA Administrator and Project CM and approved by the Regional Project Manager.

3.5 Local Area Employment

Under the PLA, consideration is given to local area workers seeking employment. Special emphasis is placed on enrolling local area residents in apprenticeship programs and providing employment opportunities on WSIP projects.

3.5.1 The Program Controls and Support Bureau (PCSB) is responsible for providing program estimates for construction workforce demands, updated annually. This information is forwarded to the PLA Administrator, who will be responsible for working with the

prime contractor and subcontractors and the affected unions to identify opportunities for local area hiring. The PLA Administrator will inform the Project and Program Construction Managers of the progress of the Local Area Hiring Plan. Project Managers and/or Construction Managers might be required to participate in discussions with Contractors to the extent deemed necessary by the PLA Administrator.

3.6 Substance Abuse Testing

Under the PLA, all new hires are required to pass a substance abuse test and be cleared for work. The Contractor is required to work with a pre-qualified third party administrator to implement this requirement. The PLA Administrator coordinates this program.

4.0 Responsibilities

4.1 Regional Project Manager (Regional PM)

The Regional PM, with assistance of the RCM, manages the coordination of all construction projects within his/her assigned region; manages and administers the construction management contracts in that region; and, reports to the Deputy Director of Construction throughout the project's Construction and Close-Out Phases.

4.2 Project Construction Manager (Project CM)

The Project CM manages and administers the project construction contracts; implements quality plans to assure all construction work is completed in conformance to the Contract Documents; implements environmental compliance requirements and procedures; manages schedules, costs, and change orders; assists with Public Outreach efforts; and, maintains all construction documentation and records.

4.2.1 The Project CM serves as prime point of contact between the Contractor and the SFPUC and external stakeholders. Supervises and directs the performance of the project CM team and ensures conformance to established policies and procedures for management of the project. The Project CM reports to the Regional Construction Manager (RCM).

4.3 Project Labor Agreement (PLA) Administrator

The PLA Administrator is responsible for managing the implementation of and compliance with the Project Labor Agreement on behalf of the SFPUC. The PLA Administrator provides support to Contractors and to signatory Unions in the PLA implementation on the specific project.

5.0 Implementation

5.1 Contract Preparation

The PLA Administrator ensures that the WSIP Project Labor Agreement and Letter of Assent are included in Contract Documents for WSIP Projects with an Engineer's Estimate equal to or greater than \$5 million.

5.2 Requirements Briefing

The PLA Administrator briefs the Regional PM and Project CM on the merits and requirements of the PLA and how they relate to the specific region and project.

5.3 Meeting Participations

The PLA Administrator participates in Pre-Bid and Pre-Construction Meeting to explain the PLA requirements to the Contractors and Subcontractors, chairs the Pre-Job Conferences, and participates in arbitration and mediation processes.

5.4 Pre-Job Conference

The PLA Administrator organizes and facilitates the Pre-Job Conferences in which the PLA requirements are reviewed and work scopes are assigned to respective crafts, which includes:

5.4.1 Substance Abuse Testing: Information on substance abuse testing for general notification and pre-construction meetings to discuss any issues that might arise prior to implementation on the project.

5.4.2 Craft Assignments: If disagreement with one or more craft assignments occur; the Union and/or Unions are required to file a written appeal with the Contractor and the PLA Administrator, which is then adjudicated as prescribed in the PLA.

5.5 PLA Administration

The PLA Administrator coordinates the grievance procedure on jurisdiction claims and other disputes, as prescribed in the PLA.

5.6 Employment Programs

The PLA Administrator coordinates local area employment programs as provided for in the PLA:

5.6.1 Works with Program Control and Support Bureau to develop craft workforce demand to support the project;

5.6.2 Works with the Project CM, RPM, Prime Contractor and Subcontractors and the affected unions to identify opportunities for local area hiring;

5.6.3 Reports on local area employment program status at weekly progress meetings.

5.7 Substance Abuse Testing

The PLA Administrator coordinates substance abuse testing:

- 5.7.1 Contractor works with a pre-qualified third party administrator to implement substance abuse testing; and, is responsible for certifying that all workers on the job site have passed the pre-employment drug test and have been certified for work on the project;
- 5.7.2 PLA Administrator provides quality assurance through periodic and routine audits of test results.

6.0 Other Procedural Requirements

Substance Abuse Testing (reference PLA)

7.0 References

7.1 Technical Specifications

None

7.2 CM Procedures

No. 004 Submittals

7.3 Others

Following SFPUC Documents are found in the designated Website

- Bidding Under PLA
- Letter of Assent
- WSIP Project Labor Agreement

http://sfwater.org/custom/bid/planlist.cfm/bidtype/1/MC_ID/15/MSD_ID/147/MTO_ID/331

<https://infrastructure.sfwater.org/fds/fds.aspx?lib=SFPUC&doc=217269&data=83648565>

8.0 Attachments

040 – 1 Revision Control Log

Attachment 040 – 1
Revision Control Log

Revision No.	Revision Date	What changed?
Rev 1	August 28, 2009	<ul style="list-style-type: none">• Removed “WSIP” from Sections 3.2, 4.1 and 4.2• Revised Section 7.0; added Sections 7.1 and 7.2• Added Attachment 1; Revision Control Log
Rev 0	February 16, 2009	Signed