



Board Report

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Agenda Number:

**CONSTRUCTION COMMITTEE
MAY 19, 2016**

**SUBJECT: PROJECT LABOR AGREEMENT/CONSTRUCTION CAREERS POLICY (PLA/CCP)
REPORT (DATA THROUGH MARCH 2016), AND 12-MONTH PILOT LOCAL HIRE INITIATIVE**

ACTION: RECEIVE AND FILE

RECOMMENDATION

RECEIVE AND FILE status update report on the **Project Labor Agreement and Construction Careers policy programs through the quarter ending March 2016.**

ISSUE

In January 2012, the Board approved the Project Labor Agreement with the Los Angeles/Orange Counties Building and Construction Trades Council and the Construction Careers Policy. One benefit of the PLA is to encourage construction employment and training opportunities in economically disadvantaged geographic areas throughout the United States. Another benefit of the PLA is that work stoppages are prohibited.

Consistent with the Board approved PLA and CCP, prime contractors are required to provide Metro with monthly reports detailing progress towards meeting the targeted worker hiring goals. Additionally, consistent with Metro's Labor Compliance policy and federal Executive Order 11246, the prime contractors provide Metro with worker utilization data by ethnicity and gender.

The attached report provides the current status (through March 2016) of construction projects subject to the PLA/CCP.

DISCUSSION

There are eight active construction contracts and nine completed contracts with the PLA/CCP program requirements, as of March 2016

Project Name:	Prime Contractor:	Targeted Worker Goal (40%)	Apprentice Worker Goal (20%)	Disadvantaged Worker Goal (10%)	* Percentage of Disadvantaged Worker Participation that are in the Criminal Justice System Category
Crenshaw/LAX Transit Corridor	Walsh/Shea Corridor Constructors	58.72%	18.27%	11.54%	40.10%
Regional Connector Transit Corridor	Regional Connector Constructors, JV	59.67%	19.17%	8.57%	48.06%
Westside Subway Extension Project, Section 1 – Design Build	Skanska-Traylor-Shea, JV	70.03%	11.97%	8.30%	76.19%
Metro Red Line/Metro Orange Line (MRL/MOL) North Hollywood Station West Entrance	Skanska	60.79%	23.67%	19.45%	90.74%
Universal City Pedestrian Bridge	Griffith Company	38.73%	28.06%	10.49%	66.02%
Westside Extension Project Advanced Utility Relocation (La Cienega Station)	Bubalo Construction	68.10%	21.81%	24.12%	26.26%
Metro Blue Line Pedestrian and Swing Gates	Icon-West	61.38%	37.74%	0.00%	0.00%
Division 16 Southwestern Yard	Hensel Phelps/Herzog, JV	1.54%	11.35%	0.00%	0.00%

In summary, of the eight active construction projects for this reporting period, six Contractors are exceeding the 40% Targeted Worker goal, four contractors are exceeding the 20% Apprentice Worker goal and four contractors are achieving the 10% Disadvantaged Worker goal.

*Percentage of Disadvantaged Worker Participation that have had involvement with the Criminal Justice System Category

Part of Metro's PLA/CCP workforce requirement is the utilization of Disadvantaged workers on projects. One of the nine criteria for a disadvantaged worker is "having a criminal record or other involvement with the criminal justice system". The data shown in the table above is the percentage of Disadvantaged Workers (based on hours worked) that have criminal records or involvement with the criminal justice system and were given the opportunity to work in Metro's PLA/CCP projects.

Currently Active Contracts

Crenshaw/LAX Transit Corridor Project
Prime: Walsh/Shea Corridor Constructors

The Crenshaw/LAX Transit Corridor project contractor has completed 53.92% of the estimated construction work hours for this project. The contractor is currently exceeding the Targeted Worker goal at 58.72%, Disadvantaged Worker goal at 11.54% and the minority participation percentage goals, but not meeting the 20% Apprentice Worker goal at 18.27% and the 6.90% Female Participation goal at 2.99%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. The contractor has submitted a plan and schedule indicating that the apprentice goal for this project should be achieved in the middle of 2017. Staff will continue to work closely with the contractor towards meeting all worker goals for this project.

Regional Connector Transit Corridor
Prime: Regional Connector Constructors, Joint Venture

The Regional Connector Transit Corridor Project is underway and only 5.77% of the estimated construction work hours for this project have been performed. The contractor is currently exceeding the Targeted Worker goal at 59.67%, and the minority participation percentage goals, but not meeting the 20% Apprentice Worker goal at 19.17%, the 10% Disadvantaged Worker goal at 8.57% and the 6.90% Female Participation goal at 3.08%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. This project is still in the design-phase with limited construction activities and attainments are in line with the contractor's submitted Employment Hiring Plan which states compliance with the PLA/CCP workforce goals will be met in mid-2016.

Westside Subway Extension Project, Section 1 Design-Build
Prime: Skanska-Traylor-Shea, a Joint Venture (STS)

The Westside Subway Extension Project, Section 1 is underway and only 2.56% of the estimated construction work hours for this project has been performed. The contractor is currently exceeding the Targeted Worker goal at 70.03% and the minority participation percentage goals, but not meeting the 20% Apprentice Worker goal at 11.97%, the 10% Disadvantaged Worker goal at 8.30% and the 6.90% Female Participation goal at 5.71%. The attainment for the 20% Apprentice Worker is based on total apprentice-able hours. This project is in the early stage of the design-phase with limited construction and the attainments are in line with the contractor's submitted Employment Hiring Plan

which states compliance with the PLA/CCP workforce goals will be met in Mid-2018.

Metro Red Line/Metro Orange Line (MRL/MOL) North Hollywood Station West Entrance
Prime: Skanska

The Metro Red Line/Metro Orange Line (MRL/MOL) North Hollywood Station West Entrance project contractor has completed 75.15% of the estimated construction work hours on this project. The contractor is currently exceeding the Targeted Worker goal at 60.79%, Apprentice Worker Goal at 23.67%, Disadvantaged Worker goal at 19.45%, Female Participation goal at 9.73% and the minority participation percentage goals. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. For this reporting cycle, the Contractor has met all PLA/CCP workforce provisions.

Universal City Pedestrian Bridge
Prime: Griffith Company

The Universal City Pedestrian Bridge project contractor has completed 99.12% of the estimated construction work hours on this project. The contractor is currently exceeding the Apprentice Worker goal at 28.06%, Disadvantaged Worker goal at 10.49% and the minority participation percentage goals, but not meeting the 40% Targeted Worker goal at 38.73% and the 6.90% Female Participation goal at 1.96%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. Metro has issued several Notices of Non-Compliance to the Contractor for low attainment on the Targeted Worker goal and will keep the Board updated on the Contractor's progress.

Westside Extension Project Advanced Utility Relocation (La Cienega)
Prime: Bubalo Construction

The Westside Extension Project Advanced Utility Relocation project contractor has completed 79.98% of the estimated construction work hours on this project. The contractor is currently exceeding the Targeted Worker goal at 68.10%, Apprentice Worker goal at 21.81%, Disadvantaged Worker goal at 24.12%, and the minority participation percentage goals, but not meeting the 6.90% Female Participation goal at 0.69%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. For this reporting cycle, the Contractor has met the 40/20/10 PLA/CCP workforce provisions.

Metro Blue Line Pedestrian & Swing Gates
Prime: Icon-West

The Metro Blue Line Pedestrian & Swing Gates Project is underway and only 2.11% of the estimated construction work hours for this project has been performed. The contractor is currently exceeding the Targeted Worker goal at 61.38%, Apprentice Worker goal at 37.74% and the minority participation

percentage goals, but not meeting the 10% Disadvantaged Worker goal at 0.00% and the 6.90% Female Participation goal at 0.00%. The attainment for the 20% Apprentice Worker is based on total apprentice-able hours. This project is in the early stage of construction with limited hours reported. Contractor submitted an Employment Hiring Plan which states compliance with the PLA/CCP workforce goals will be met by mid-point of construction activities.

Division 16 - Southwestern Yard
Prime: Hensel Phelps/Herzog, J.V.

The Division 16 Southwestern Yard Project is underway and only 0.20% of the estimated construction work hours for this project has been performed. This project is in the early stage of the design-phase with limited construction, and as such, is not representative of the typical trades and hours that will be performed on the project. The contractor is currently exceeding the minority participation percentage goals, but not meeting the 40% Targeted Worker goal at 1.54%, the 20% Apprentice Worker goal at 11.35%, the 10% Disadvantaged Worker goal at 0.00% and the 6.90% Female Participation goal at 0.00%. The attainment for the 20% Apprentice Worker is based on total apprentice-able hours. The Contractor submitted an Employment Hiring Plan which states compliance with the PLA/CCP workforce goals will be met by mid-2017. This contract falls under the U.S. DOT's Local Hire Pilot Program.

Completed Contracts

Completed Projects:	Prime Contractor:	Targeted Worker Goal (40%)	Apprentice Worker Goal (20%)	Disadvantaged Worker Goal (10%)	*Percentage of Disadvantaged Workers that are in the Criminal Justice System Category
Crenshaw Advanced Utility Relocation Project	Metro Builders	61.41%	13.84%	21.08%	2.90%
Westside Subway Extension Advanced Utility Relocation	Metro Builders	67.47%	11.12%	11.08%	0.00%
Westside Subway Exploratory Shaft	Innovative Construction Solutions	50.88%	75.05%	11.23%	96.23%
Regional Connector Transit Corridor Adv. Utility Relocation	Pulice Construction	51.61%	21.37%	22.83%	28.39%
CNG Emergency Generator Division 7 & 8	Taft Electric	46.42%	25.51%	39.08%	39.48%
Division 13 CNG Fueling Facility, Design/Build/Operate	Clean Energy	67.54%	20.17%	60.72%	49.48%
Metro Blue Line Stations Refurbishments	S.J. Amoroso	56.01%	26.10%	13.62%	28.03%
Westside Extension Project Advanced Utility Relocation (Fairfax Station)	WA Rasic	63.27%	20.61%	19.90%	9.24%
Metro Rail Security Kiosks	Icon-West	45.90%	27.06%	20.17%	100.00%

Crenshaw Advanced Utility Relocation Project

Prime: Metro Builders

The Crenshaw Advanced Utility Relocation project is 100% complete as of September 2014. Final reporting shows the Targeted Worker attainment at 61.41%, Disadvantaged Worker attainment at 21.08% and the minority participation percentage goals were attained, but the contractor did not meet the 20% Apprentice Worker goal at 13.84% and the 6.90% Female Participation goal at 0.52%. The attainment for the 20% Apprentice worker goal is based on total apprentice-able hours. Metro staff met with the contractor in January 2015, and executed a special assessment for not meeting the apprentice goal for this project. The contractor complied with Metro's special assessment and this issue is closed.

Westside Subway Extension Advanced Utility Relocation

Prime: Metro Builders

The Westside Subway Extension Advanced Utility Relocation project is 100% complete as of October 2014. Final reporting shows the Targeted Worker attainment at 67.47%, Disadvantaged Worker attainment at 11.08%, Female Participation attainment at 7.48% and the minority participation percentage goals were attained, but the contractor did not meet the 20% Apprentice Worker goal at 11.12%. The attainment for the 20% Apprentice worker goal is based on total apprentice-able hours. Metro staff met with the contractor in January 2015, and executed a special assessment for not meeting the apprentice goal for this project. The contractor complied with Metro's special assessment and this issue is closed.

Westside Subway Exploratory Shaft
Prime: Innovative Construction Solutions (ICS)

The Westside Subway Extension Exploratory Shaft project is 100% complete as of October 2014. Final reporting shows the Targeted Worker attainment at 50.88%, Apprentice Worker attainment at 75.05%, Disadvantaged Worker attainment at 11.23% and the minority participation percentage goals were attained, but the contractor did not meet the 6.90% Female Participation goal at 0.42%. The attainment for the 20% Apprentice worker goal is based on total apprentice-able hours. No labor grievances occurred on this project.

Regional Connector Transit Corridor Advanced Utilities Relocation
Prime: Pulice Construction

The Regional Connector Transit Corridor Advanced Utilities Relocation project was terminated for convenience in April 2015 and is now closed. Final reporting shows the Targeted Worker attainment at 51.61%, Apprentice Worker attainment at 21.37%, Disadvantaged Worker attainment at 22.83% and the minority participation percentage goals were attained, but the contractor did not meet the 6.90% Female Participation goal at 2.57%.

CNG Emergency Generator Division 7 and 8
Prime: Taft Electric

The CNG Emergency Generator Division 7 and 8 project is 100% complete as of May 2015. Final reporting shows the Targeted Worker attainment at 46.42%, Apprentice Worker attainment at 25.51%, Disadvantaged Worker attainment at 39.08% and the minority percentage goals were attained, but the contractor did not meet the 6.90% Female Participation goal at 4.68%. The attainment for the 20% Apprentice worker goal is based on total apprentice-able hours. No labor grievances occurred on this project.

Division 13 CNG Fueling Facility, Design/Build/Operate
Prime: Clean Energy

The Division 13 CNG Fueling Facility, Design/Build/Operate project contractor is 100% complete as of June 2015. Final reporting shows the Targeted Worker attainment at 67.54%, Apprentice Worker

attainment at 20.17%, Disadvantaged Worker attainment at 60.72% and the minority percentage goals were attained, but the contractor did not meet the 6.90% Female Participation goal at 1.69%. The attainment for the 20% Apprentice worker goal is based on total apprentice-able hours. No labor grievances occurred on this project.

Metro Blue Line Station Refurbishments

Prime: S.J. Amoroso

The Metro Blue Line Station Refurbishments project contractor is 100% complete as of August 2015. Final reporting shows the Targeted Worker attainment at 56.01%, Apprentice Worker attainment at 26.10%, Disadvantaged Worker attainment at 13.62% and the minority percentage goals were attained, but the contractor did not meet the 6.90% Female Participation goal at 0.48%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours.

Westside Subway Extension Advanced Utility Relocation (Fairfax Station)

Prime: W.A. Rasic

The Westside Subway Extension Advanced Utility Relocation - Fairfax Station project is 100% complete as of December 2015. Final reporting shows the Targeted Worker attainment at 63.27%, Apprentice Worker attainment at 20.61%, Disadvantaged Worker attainment at 19.90% and the minority percentage goals were attained, but the contractor did not meet the 6.90% Female Participation goal at 2.78%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours.

Metro Rail Security Kiosks

Prime: Icon-West

The Metro Rail Security Kiosks project contractor is 100% complete as of March 2016. Final reporting shows the Targeted Worker attainment at 45.90%, Apprentice Worker attainment at 27.06%, Disadvantaged Worker attainment at 20.17% and the minority percentage goals were attained, but the contractor did not meet the 6.90% Female Participation goal at 0.00%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours.

FEMALE UTILIZATION UPDATE:

Below is a female utilization participation report on Metro's PLA/CCP projects to track progress. The chart shows the number of cumulative female workers on active PLA/CCP projects within the last three months as requested at the July 2015 Committee meeting.

Project Name:	Prime Contractor:	No. of Female Workers January 2016	No. of Female Workers February 2016	No. of Female Workers March 2016
Crenshaw/LAX Transit Corridor	Walsh/Shea Corridor Constructors	69	71	71
Regional Connector Transit Corridor	Regional Connector Constructors, JV	8	11	12
Westside Subway Extension Project, Section 1	Skanska-Traylor-Shea, JV	5	10	12
Metro Red Line/Metro Orange Line (MRL/MOL) North Hollywood Station West Entrance	Skanska	4	4	4
Universal City Pedestrian Bridge	Griffith Company	5	5	5
Westside Extension Project Advanced Utility Relocation (La Cienega Station)	Bubalo Construction	4	4	4
Metro Blue Line Pedestrian and Swing Gates	Icon-West	Project has not started	Project has not started	1
Division 16 – Southwestern Yard	Hensel Phelps/Herzog, JV	Project has not started	Project has not started	0

In an effort to increase female participation within Metro’s PLA/CCP projects which has averaged 3.21% for all active PLA/CCP projects, staff has coordinated or is currently coordinating the following efforts:

- Metro convened a “Women Build METRO LA” Committee to develop strategies and outreach activities to highlight the need for women in the construction industry, with emphasis on the opportunities and assistance that is available. The taskforce membership includes: LA/OC Building Construction Trade Council Executive Secretary, Ron Miller, IBEW Vice President Jane Templin, UNITEHERE President, Maria Elena Durazo, Women in Non-Traditional Employment Roles (WINTER), Metro’s DEOD Executive Director, Office of the Speaker of the Assembly, Prime Contractors, Jobs Coordinators and others.

In March, the Committee hosted 70 females on a Union Apprenticeship Training Center tour. The next event scheduled is an Orientation and 6-Week Boot Camp for females, to take place at Los Angeles Trade Technical College, beginning in Mid-June. Staff is enlisting Prime

Contractors to participate so that the training can potentially result in immediate sponsorship in to the Union for certain candidates.

- Metro staff has convened a taskforce to develop an Apprenticeship Prep training program in conjunction with Los Angeles Trade Technical College. The taskforce consist of the Vice President of Academic Affairs & Workforce Development of Los Angeles Trade Technical College, Prime Contractor representatives and Metro staff.
 - Prime Contractors have committed to assist in providing employment opportunities to graduates of this Apprenticeship Prep training program.
 - The 1st Apprenticeship Prep training program is scheduled to take place during the Summer of 2016.
 - Recruitment for this training program will be focused primarily on women with demonstrated interest in starting a career in the construction and/or transportation industry.

Staff will provide updates as these programs are further developed.

PILOT LOCAL HIRE INITIATIVE

In March 2015, the U.S. Department of Transportation (DOT) announced an initiative to permit, on an experimental basis, Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) recipients and sub-recipients the ability to utilize previously disallowed local/geographic-based labor hiring preferences and economic-based labor hiring preferences on Construction and Rolling Stock projects. This initiative was carried out as a pilot program for a period of 1 year and has been extended through March 6, 2017 under the FHWA and FTA's existing Authorities. The Pilot initiative may be implemented immediately on federally funded Construction projects.

As of this quarterly reporting period, there is currently one construction project that is active and subject to the Pilot Local Hire Initiative;

- C0991 Division 16 - Southwestern Yard (contract amount of \$172mil)

This requirement was included in the solicitation for the Westside Purple Line Extension Section 2 design build contract. Staff is continually monitoring federally funded PLA/CCP covered projects awarded during the "Pilot Local Hire Initiative" implementation period and will report any additional projects subject to the Local Hire Initiative Program to the Board.

Metro received DOT and FTA approval on September 30, 2015 to use Metro's Local Employment Program (LEP) on four (4) Rolling Stock procurements. The Local Employment Program may only be applied on an experimental basis on Metro's New Heavy Rail Car, New Bus Buy and two Rail Car Overhaul solicitations. The FTA's approval also contained specific conditions that limit the Local Employment Program to a voluntary program. This means that the program cannot be used to determine responsiveness to the solicitation or as a basis for award. Nonetheless, the Local Employment Program will provide Proposers with an opportunity to receive up to 5% additional preferential scoring points if new jobs are committed as part of their proposal.

The FTA's approval also modified the definition of how Metro may define its geographical preference for new jobs and facility improvements for the New Heavy Rail Car and New Bus RFPs. For those two procurements the definition of local employment will include anywhere in the State of California. For the two rail vehicle overhaul projects the FTA will allow Metro to limit the geographical preference for new job creation to Los Angeles County.

Proposers that volunteer to participate in Metro's Local Employment Program and who commit to new job local job creation must also commit to hiring a minimum of 10% of their new work force as Disadvantaged Workers. The targeted hiring requirement will be a condition for obtaining any preferential scoring points.

Currently, the New Heavy Rail Car, A650 Red Line Car Overhaul and P2000 light Rail Car Overhaul RFPs are in black-out. The A650 Red Line Overhaul is scheduled to be presented to the Board for contract award in September 2016, and the New Heavy Rail Car and P2000 Overhaul are scheduled for November 2016.

The New Bus Buy RFP for 600 40' buses will be issued in the summer 2016. Additionally, Staff is planning on consolidating the 40' bus buy with a new requirement for 400 60' buses into a single RFP. Staff intends to request approval from FTA to implement the pilot local jobs program on a single 40' and 60' bus procurement. This request is consistent with the U.S. Department of Transportation's recent announcement to extend the Local Hire Pilot Program through September 2016.

Staff will continue to report on the "Pilot Local Hire Initiative" on a quarterly basis as part of the Project Labor Agreement/Construction Careers Program quarterly updates.

OUTREACH

In efforts to attain the highest percentages of Targeted, Apprentice and Disadvantaged Workers on PLA/CCP projects, and to keep the community informed of opportunities, the contractors and DEOD participated and/or coordinated the following outreach efforts during this reporting period:

- Daily/Weekly/bi-weekly meetings with outreach team, contractor, elected staffers and/or community representatives.
- Continuous collaboration with Five Keys Charter to promote Metro's PLA/CCP workforce initiatives within Los Angeles County Jail system.
- Women Build METRO LA event held on March 23, 2015.
- Participated in the Resource Fair sponsored by Council District 8 & 10, held on March 12, 2016.
- Women Build METRO LA - Union Training Center Tours held on March 23, 2016.
- Participated in the 6th Annual Spring into Summer Hiring Spree Event sponsored by Supervisor Mark Ridley-Thomas held on April 13, 2016.
- Construction Careers Awareness Day in partnership with LAUSD and Los Angeles Trade Tech College (LATTC) held on April 14, 2016.

NEXT STEPS

Staff will continue to monitor and assist Contractors with hiring efforts, and will enforce compliance as necessary.

ATTACHMENTS

A. PLA/CCP Report, Data Through March 2016

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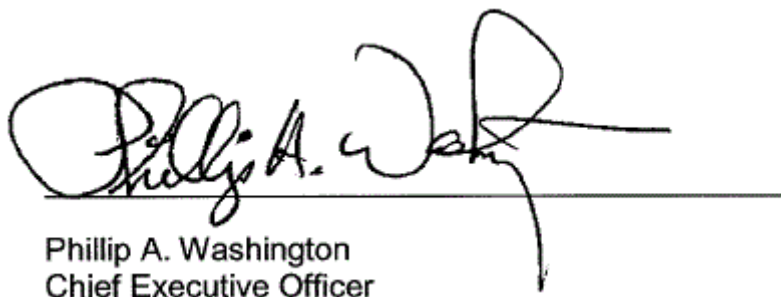
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