



Board Report

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Agenda Number: 12

**CONSTRUCTION COMMITTEE
EXECUTIVE MANAGEMENT COMMITTEE
MAY 18, 2017**

**SUBJECT: PROJECT LABOR AGREEMENT/CONSTRUCTION CAREERS POLICY (PLA/CCP)
REPORT (DATA THROUGH MARCH 2017), AND 12-MONTH PILOT LOCAL HIRE INITIATIVE**

ACTION: RECEIVE AND FILE

RECOMMENDATION

RECEIVE AND FILE status update on the Project Labor Agreement and Construction Careers Policy programs through the quarter ending March 2017.

ISSUE

In January 2012, the Board approved the Project Labor Agreement (PLA) with the Los Angeles/Orange Counties Building and Construction Trades Council and the Construction Careers Policy (CCP). One benefit of the PLA is to encourage construction employment and training opportunities in economically disadvantaged 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 of construction projects subject to the PLA/CCP through March 2017.

DISCUSSION

There are nine active construction contracts and eleven completed contracts with the PLA/CCP program requirements as of March 2017. The following provides updated information regarding these currently active and completed contracts, the female utilization participation, the Pilot Local Hire Initiative and Metro outreach efforts.

Currently Active Contracts:

As of the report period, eight of the nine active construction projects have contractors that are

exceeding the 40% Targeted Worker goal; six contractors are exceeding both the 20% Apprentice Worker goal and the 10% Disadvantaged Worker goal. The following table represents the active construction projects.

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	59.00%	21.18%	12.40%	36.83%
Regional Connector Transit Corridor	Regional Connector Constructors, JV	58.36%	18.21%	8.30%	56.14%
Westside Subway Extension Project, Section 1 – D/B	Skanska-Traylor-Shea, JV	66.87%	16.87%	7.87%	64.39%
Universal City Pedestrian Bridge	Griffith Company	38.34%	27.63%	12.55%	48.46%
Metro Blue Line Pedestrian and Swing Gates	Icon-West	59.02%	24.04%	12.01%	100.00%
Division 16 Southwestern Yard	Hensel Phelps/Herzog, JV	50.51%	22.16%	12.74%	68.46%
MRL Pershing Square Canopy Addition and Escalator Replacements	Clark Construction, LLC	53.59%	31.12%	16.16%	83.01%
Patsaouras Plaza POV Relocation, Pavers & Storm Drain Repair	AP Construction	76.46%	21.26%	42.56%	6.48%
Patsaouras Plaza Busway Station	OHL-USA, Inc.	44.07%	2.73%	4.19%	0.00%

Please refer to the attached PLA/CCP Data Report for additional information on each project.

*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 (last column) is the percentage of Disadvantaged Workers (based on hours worked) that have criminal records or involvement with the criminal justice system that have worked, or are still working on Metro's PLA/CCP projects.

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

The Crenshaw/LAX Transit Corridor project Contractor has completed 68.27% of the estimated construction work hours for this project. The Contractor is currently exceeding the Targeted Worker goal at 59.00%, Apprentice Worker Goal at 21.18%, Disadvantaged Worker goal at 12.40% and the minority participation percentage goals; however, not meeting the 6.90% Female Participation goal at 3.16%. The attainment for the 20% Apprentice Worker goal is based on total apprenticeable hours.

The Contractor has met the PLA/CCP workforce provisions for this reporting cycle.

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

The Regional Connector Transit Corridor project Contractor has completed 20.94% of the estimated construction work hours for this project. The Contractor is currently exceeding the Targeted Worker goal at 58.36% and the minority participation percentage goals; however, not meeting the 20% Apprentice Worker goal at 18.21%, the 10% Disadvantaged Worker goal at 8.30% or the 6.90% Female Participation goal at 2.89%. The attainment for the 20% Apprentice Worker goal is based on total apprenticeable hours.

The Contractor is currently in the process of updating its Employment Hiring Plan to address compliance with the PLA/CCP workforce goals. Staff will continue to work closely with the Contractor towards meeting all worker goals for this project.

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

The Westside Subway Extension Project, Section 1 project Contractor has completed 13.93% of the estimated construction work hours for this project. The Contractor is currently exceeding the Targeted Worker goal at 66.87% and the minority participation percentage goals; however, not meeting the 20% Apprentice Worker goal at 16.87%, the 10% Disadvantaged Worker goal at 7.87% or the 6.90% Female Participation goal at 4.44%. The attainment for the 20% Apprentice Worker is based on total apprenticeable hours.

The Contractor has submitted an Employment Hiring Plan which states compliance with the

PLA/CCP workforce goals will be met Mid-2018. Staff will continue to work closely with the Contractor towards meeting all worker goals for this project.

Universal City Pedestrian Bridge

Prime: Griffith Company

The Universal City Pedestrian Bridge project Contractor has completed 98.99% of the estimated construction work hours on this project. The Contractor is currently exceeding the Apprentice Worker goal at 27.63%, Disadvantaged Worker goal at 12.55% and the minority participation percentage goals; however, not meeting the 40% Targeted Worker goal at 38.34% or the 6.90% Female Participation goal at 1.57%. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours.

Staff assessed liquidated damages based on the Targeted Worker non-compliance attainments to date. The assessed liquidated damages were used as a credit for Metro as part of the contract negotiations.

Metro Blue Line Pedestrian and Swing Gates

Prime: Icon-West

The Metro Blue Line Pedestrian and Swing Gates project Contractor has completed 79.12% of the estimated construction work hours on this project. The Contractor is currently exceeding the Targeted Worker goal at 59.02%, Apprentice Worker goal at 24.04%, Disadvantaged Worker goal at 12.01% and the minority participation percentage goals; however, not meeting the 6.90% Female Participation goal at 0.32%. The attainment for the 20% Apprentice Worker is based on total apprenticeable hours.

The Contractor has met the PLA/CCP workforce provisions for this reporting cycle.

Division 16 - Southwestern Yard

Prime: Hensel Phelps/Herzog, J.V.

The Division 16 Southwestern Yard project Contractor has completed 12.01% of the estimated construction work hours on this project. The Contractor is currently exceeding the Local Targeted Worker goal at 50.51%, Apprentice Worker goal at 22.16%, Disadvantaged Worker goal at 12.74% and the minority participation percentage goals; however, not meeting the 6.90% Female Participation goal at 5.49%. The attainment for the 20% Apprentice Worker is based on total apprenticeable hours.

The Contractor has met the PLA/CCP workforce provisions for this reporting cycle. This contract falls under the U.S. DOT's Local Hire Pilot Program.

MRL Pershing Square Canopy Addition and Escalator Replacement

Prime: Clark Construction, LLP

The MRL Pershing Square Canopy Addition and Escalator Replacement project Contractor has

completed 83.65% of the estimated construction work hours on this project. The Contractor is currently exceeding the Targeted Worker goal at 53.59%, Apprentice Worker goal at 31.12%, Disadvantaged Worker goal at 16.16% and the minority participation percentage goals; however, not meeting the 6.90% Female Participation goal at 1.62%. The attainment for the 20% Apprentice Worker is based on total apprenticeable hours.

The Contractor has met the PLA/CCP workforce provisions for this reporting cycle.

Patsaouras Plaza POV Relocation, Pavers and Storm Drain Repairs
Prime: AP Construction

The Patsaouras Plaza Privately-Owned-Vehicle Relocation, Pavers and Storm Drain Repairs project Contractor has completed 99.31% of the estimated construction work hours on this project. The Contractor is currently exceeding the Targeted Worker goal at 76.46%, Apprentice Worker goal at 21.26%, Disadvantaged Worker goal at 42.56% and the minority participation percentage goals; however, not meeting the 6.90% Female Participation goal at 3.91%. The attainment for the 20% Apprentice Worker is based on total apprenticeable hours.

The Contractor has met the PLA/CCP workforce provisions for this reporting cycle.

Patsaouras Plaza Busway Station
Prime: OHL-USA, Inc.

The Patsaouras Plaza Busway Station project Contractor has completed 15.33% of the estimated construction work hours on this project. The Contractor is currently exceeding the Targeted Worker goal at 44.07% and the minority participation percentage goals; however, not meeting the 20% Apprentice Worker goal at 2.73%, the 10% Disadvantaged Worker goal at 4.19% or the 6.90% Female Participation goal at 5.31%. The attainment for the 20% Apprentice Worker is based on total apprenticeable hours.

The Contractor has submitted an Employment Hiring Plan which states compliance with the PLA/CCP workforce goals will be met in November 2017. Staff will continue to work closely with the Contractor towards meeting all worker goals for this project.

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%
Westside Extension Project Advanced Utility Relocation (La Cienega Station)	Bubalo Construction	65.15%	21.76%	20.96%	28.10%
MRL/MOL North Hollywood Station West Entrance	Skanska, USA	57.79%	24.28%	15.78%	84.26%

Please refer to the attached PLA/CCP Data Report for additional information on each project.

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; however, 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 apprenticeable hours. Metro staff met with the Contractor in January 2015 and executed liquidated damages for not meeting the apprentice goal for this project. The Contractor complied with Metro's liquidated damages 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; however, 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 apprenticeable hours. Metro staff met with the Contractor in January 2015 and executed liquidated damages for not meeting the apprentice goal for this project. The Contractor complied with Metro's liquidated damages 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; however, 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 apprenticeable 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; however, 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; however, 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 apprenticeable 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; however, 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 apprenticeable 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; however, 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 apprenticeable 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; however, 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 apprenticeable hours.

Metro Rail Security Kiosks

Prime: Icon-West

The Metro Rail Security Kiosks project 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; however, 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 apprenticeable hours. No labor grievances occurred on this project.

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

The Westside Extension Project Advanced Utility Relocation project is 100% completed as of October 2016. Final reporting shows the Targeted Worker attainment at 65.15%, Apprentice Worker attainment at 21.76%, Disadvantaged Worker attainment at 20.96% and the minority percentage goals were attained; however, the Contractor did not meet the 6.9% Female Participation goal at 0.57%. The attainment for the 20% Apprentice Worker goal is based on total apprenticeable hours. No labor grievances occurred on this project.

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 is 100% completed as of November 2016. Final reporting shows the Targeted Worker attainment at 57.79%, Apprentice Worker attainment at 24.28%, Disadvantaged Worker attainment at 15.78%, Female Participation goal at 7.44% and the minority percentage goals were attained. The attainment for the 20% Apprentice Worker goal is based on total apprenticeable hours.

FEMALE UTILIZATION UPDATE:

Provided in the following table is the female utilization participation report on Metro's PLA/CCP projects. As requested by the Board in July 2015, the table reports the number of cumulative female workers on active PLA/CCP projects within the last three months of FY17.

Project Name:	Prime Contractor:	No. of Female Workers January 2017	No. of Female Workers February 2017	No. of Female Workers March 2017
Crenshaw/LAX Transit Corridor	Walsh/Shea Corridor Constructors	92	95	99
Regional Connector Transit Corridor	Regional Connector Constructors, JV	25	26	26
Westside Subway Extension Project, Section 1	Skanska-Traylor-Shea, JV	31	31	31
Universal City Pedestrian Bridge	Griffith Company	5	5	5
Metro Blue Line Pedestrian and Swing Gates	Icon-West	2	2	2
Division 16 – Southwestern Yard	Hensel Phelps/Herzog, JV	6	6	7
Metro Red Line Pershing Square Canopy Addition & Escalator Replacement	Clark Construction	4	5	5
Patsaouras Plaza POV Relocation, Pavers & Storm Drain Repair	AP Construction	2	2	2
Patsaouras Plaza Busway Station	OHL, USA, Inc.	1	1	1

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:

- The Metro “Women Build METRO LA” Committee presented a symposium on the Transportation Industry on March 10, 2017. It presented opportunities for women in the transportation industry with special focus on the Construction Trades. The event was held at East Los Angeles Community College.
- The Committee hosted a tour on April 7, 2017 of several Apprenticeship Training Centers to provide a personal experience of what is required in order to be a member of a Trade Union.
- The Committee is planning several outreach initiatives, with one of the upcoming events being a volunteer service activity planned in conjunction with Habitat for Humanity and our partner Women in Non-Traditional Employment Roles (WINTER).
- The Committee will host another symposium and outreach event in the Long Beach area in the summer.
- DEOD Outreach staff will coordinate a breakfast meeting with Metro’s mega prime contractors and District 4, LA County Board Supervisor, Janice Hahn in June 2017. The meeting will be an opportunity to discuss female participation on construction projects.
- DEOD staff will continue to monitor and support the graduates of the boot camp which Metro co-hosted with LA Trade Technical College.

Staff will continually report on the WBMLA activities and outreach efforts.

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 one year, which was extended through March 6, 2017, under the FHWA and FTA’s existing Authorities. On January 18, 2017, the Federal Register published a notice from U.S. Transportation Secretary Anthony Foxx announcing that the Local Hire Pilot Program will be extended for five years through March 6, 2022. The pilot initiative may be implemented immediately on federally funded Construction projects.

While Metro has been implementing a local hire program on certain state and locally funded contracts since 2012, there are two awarded construction projects subject to the US DOT Pilot Local Hire Initiative as of this quarterly reporting period. The awarded construction projects are:

- C0991 Division 16 - Southwestern Yard (contract amount of \$172M)
- C1120 Westside Purple Line Extension Project - Section 2 (contract amount of \$1.3B).

This initiative will also be included in the solicitation for the Westside Purple Line Extension Section 3 design-build contracts. 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 originally received DOT and FTA approval on September 30, 2015, to use Metro’s Local Employment Program (LEP) on four Rolling Stock procurements; Metro’s New Heavy Rail Car, a new 40-foot CNG Bus Buy and two Rail Car Overhaul solicitations. Subsequently, on January 12, 2017 Metro received supplemental authority from FTA to apply the LEP on its Bus RFP for 60-foot CNG buses, 40-foot and 60-foot Zero Emission vehicles.

The FTA’s approval contains 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 local job creation must also commit to hiring a minimum of 10% of their new work force as Disadvantaged Workers. The targeted hiring requirements are a condition for receiving preferential scoring points but are not a condition of award.

The Board has now approved four Rolling Stock projects that contain the new LEP, the A650 Red Line and P2000 Light Rail Vehicle Overhaul contracts, and the New Heavy Rail Car contract. Combined these three projects will create new jobs in Los Angeles County totaling over \$43.6 million in wages and benefits over the next seven years. This local jobs program will create an estimated 67 new jobs for the base and option contract periods for these three projects.

Award recommendations for the 600 40-foot CNG buses, 400 60-foot CNG buses, and up to 200 40-foot and 60-foot electric buses will be presented to the Board in the spring and summer of 2017.

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, DEOD staff continuously seeks opportunities 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 teams, contractors, 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.
- Participated in Word of Encouragement Community Church Job Resources event on November 1, 2016.
- Participated in the Metro "Women Build METRO LA" informative symposium event on March 10, 2017.
- Participated in the Construction Careers Awareness Day in partnership with LAUSD and the Los Angeles Trade Tech College (LATTTC) on March 23, 2017.
- Participated in the spring into Summer Job Fair event hosted by Chair of the LA County Board of Supervisors, Mark Ridley-Thomas Office on April 12, 2017.
- DEOD staff also participated as an Advisory Council member to Flintridge Center, a non-profit organization helping individuals start a career in the construction industry.

NEXT STEPS

DEOD staff will continue to monitor and assist Metro's Contractors with hiring efforts, enforce compliance as necessary and seek new initiatives and outreach efforts to promote awareness, engagement and participation in construction career opportunities.

ATTACHMENTS

A. PLA/CCP Report, Data through March 2017

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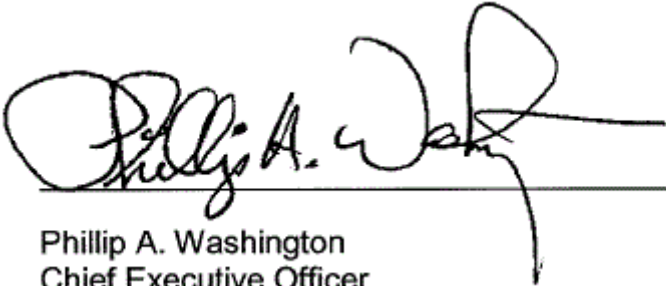
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