

**Board Report**

File #: 2021-0522, **File Type:** Informational Report**Agenda Number:** 37.

**EXECUTIVE MANAGEMENT COMMITTEE
SEPTEMBER 16, 2021****SUBJECT: PROJECT LABOR AGREEMENT/CONSTRUCTION CAREERS POLICY (PLA/CCP)****ACTION: RECEIVE AND FILE****RECOMMENDATION**

RECEIVE AND FILE the status update on the Project Labor Agreement and Construction Careers Policy programs through the quarter ending June 2021, including updates on female participation and the FTA Pilot Local Hire initiative.

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), with a subsequent renewal in January 2017. The PLA/CCP encourages construction employment and training opportunities for members of economically disadvantaged areas throughout the United States on Metro's construction projects. An added value of the PLA is that work stoppages are prohibited.

In addition, Metro's PLA/CCP provides an equity platform for the historically underserved population, including women with high-wage career opportunities in the construction industry.

BACKGROUND

Consistent with the Board approved PLA and CCP (PLA/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 (EO 11246), the prime contractors provide Metro with worker utilization data by ethnicity and gender. In accordance with EO 11246, Metro's program-wide goal for female participation in PLA/CCP construction projects is 6.90%.

DISCUSSION

This report provides a status update on the construction contracts covered by the PLA/CCP, including an overview of Diversity and Economic Opportunity Department (DEOD) staff's efforts on the female participation and an update on FTA Pilot Local Hire Initiative. This report provides an update on the

PLA/CCP through the quarter ending June 2021.

PLA/CCP Status Update

As of June 2021, there are twelve active construction contracts with PLA/CCP program requirements. Eleven contractors exceed the 40% Targeted Worker Goal, six contractors exceed the 20% Apprentice Worker Goal, and five contractors exceed the 10% Disadvantaged Worker Goal. There are twenty-seven completed construction contracts that were subject to the PLA/CCP. Overall (aggregate), PLA/CCP program-wide attainment on the three workforce goals has been met and exceeded.

The following table represents the active construction projects as of the June 2021 quarterly reporting period.

Project Name	Prime Contractor	Project Completion Percent	Targeted Worker Goal (40%)	Apprentice Worker Goal (20%)	Disadvantaged Worker Goal (10%)	Female Utilization Goal (6.9%) & Grade	Percentage of Disadvantaged Worker Participation that are in the Criminal Justice System (*)
Crenshaw/LAX Transit Corridor	Walsh/Shea Constructors	98.33%	59.86%	23.78%	10.33%	3.61% = C	34.60%
Regional Connector Transit Corridor	Regional Connectors, JV	98.28%	61.16%	20.08%	11.08%	4.23% = C	74.43%
Westside Subway Extension Project, Sec 1	Skanska-Taylor-Shea, JV	62.70%	62.03%	20.30%	12.72%	3.64% = C	71.65%
Westside PLE Project, Section 2 – D/B	Tutor Perini/O&G, JV	26.65%	40.06%	14.09%	2.46%	2.98% = D	82.58%
Purple Line Ext. Sec. 3 – Stations Project	Tutor Perini/O&G, JV	3.64%	64.79%	10.18%	0.00%	7.34% = A	0.00%
Purple Line Ex. Sec 3 – Tunnels Project	Frontier Kemper/Tutor Perini Corp.	43.13%	36.96%	11.29%	1.74%	4.14% = C	68.47%
Soundwall #11 Construction	Powell Constructors, Inc.	95.88%	41.57%	17.46%	9.44%	0.48% = F	51.09%
Willowbrooks/Rosa Parks Station Improv.	Icon-West, Inc	99.16%	66.50%	24.54%	9.72%	1.41% = F	49.86%
Div 1 Maint. & Trans. Bldg Renovation	AP Construction, Inc.	98.84%	57.74%	26.20%	13.15%	1.41% = F	27.01%
Roof Replacement at Div. 11 & 22	Achico Design Inc.	91.57%	47.90%	35.38%	14.51%	1.01% = F	45.60%
Div 20 Portal Widening Turnback Project	Tutor Perini Corp.	24.53%	41.45%	17.77%	0.13%	2.86% = D	0.00%
Metro Center St. Project	SJ Amoroso Construction	11.77%	63.39%	7.29%	0.00%	8.12% = A	0.00%

Please refer to Attachment A (PLA/CCP Brochure) for additional information on each project.

*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 and that have worked or are actively

working on Metro's PLA/CCP projects.

Female Workers on Active Construction Projects

The average female participation on Metro construction projects is at 3.65% of total work hours, which is higher compared to less than 2.0% on other Non-Metro public works construction projects in the region. The national average for women in construction is below 3.0%.

However, staff understand the importance of increasing female participation on Metro's projects for equity and workforce availability reasons and is actively taking measures to increase and create opportunities.

Overall, a total of over 850 female workers have worked on Metro's active construction projects.

Although, Metro's is behind on the female participation goal of 6.9%, staff continues to focus on strategies to support the outreach, recruitment, and retention of women into the trades focusing on Metro's PLA/CCP construction projects. Listed below are strategies that were implemented to increase female participation in Metro's construction projects.

- Female Participation Score Card - Staff continues to grade each contractor's performance quarterly through the utilization of a score card that reflects percentages of females hired by Metro's contractors to encourage in meeting the 6.9% goal.
- Quarterly Jobs Coordinator meetings - Staff hosts quarterly meetings with the jobs coordinators to discuss best practices and identify outreach and recruitment opportunities.
- Transition Coordination - Staff continues to assist female workers transitioning to other active or upcoming Metro projects as projects near the end of construction.
- Notice to Prime Contractors - Staff continues to issue notices to prime contractors not meeting the female participation goal at 25%, 50%, and 75% project completion.
- Women in the Trades Resource Guide - Staff developed a comprehensive guide to recruit, employ and retain women in construction careers to assist prime contractors in recruiting female workers.
- Outreach - Staff continuous to outreach to community-based organizations, pre-apprenticeship schools, and building trades to promote and increase female recruitment in the construction industry.

In addition, the following are strategies under development to support and increase female participation in Metro's projects.

- In the process of establishing a female centric apprenticeship boot-camp with Laborers Union (Local 300). Females interested in starting a career in construction will be fast-tracked with Local 300 and referred to Metro contractors for employment. Laborers are the most widely used trade on Metro projects, thus allowing for a higher level of opportunities.

- Discussion with IBEW (Local 12) regarding the opportunity to prioritize females into their apprenticeship program. Upon acceptance and completion of the apprenticeship program, females will be referred on Metro's construction projects for employment.
- Establishing a coordination meeting with the Los Angeles/Orange County Building and Construction Trades Council (LAOCBTC) and their new Executive Secretary focusing on increasing female participation in the construction industry to include prioritizing and dispatching female workers on Metro construction projects.
- Consistently support the Women Build Metro LA (WBMLA) events. The WBMLA events are geared to introduce the construction career path for women throughout Los Angeles County. Staff have invited Metro's prime contractors to participate and recruit females interested in starting a career in construction. The most recent WBMLA was held on August 19, 2021.
- Collaborate with Women in Non-Traditional Employment Role (WINTER) in seeking grant opportunities to help empower, train, educate and prepare women for transformative careers in the construction industry.

Furthermore, staff will continue to provide ongoing assessment of the female participation score card, monitoring of contractor's performance, and recognition of contractors that successfully meet or exceed the 6.9% goal or demonstrate highly commendable efforts in the recruitment, retention and/or professional development of women on Metro's construction projects.

FTA Pilot Local Hire

The Federal Transit Administration (FTA) has announced an initiative to permit FTA recipients and subrecipients to utilize geographic, economic, or other hiring preferences on FTA-funded construction projects. Recipients and subrecipients that intend to utilize geographic labor hiring preference, economic-based labor hiring preferences and other labor hiring preferences for construction contracts must receive approval from their FTA Regional Office prior to advertising contracts that include specifications with such preference.

This initiative will be carried out as a pilot program for a period of four years effective May 21, 2021, through May 21, 2025 (unless extended) under authority provided in the Consolidated Appropriations Act 2021, the Federal grants management regulation, and a recent Office of Management and Budget Memorandum (March 19, 2021).

The purpose of this pilot program is to provide flexibility to utilize hiring preferences to promote equitable creation of employment opportunities and workforce development activities, particularly for economically or socially disadvantaged workers, while evaluating the impact of such preferences on full and open competition and project delivery.

In addition, the FTA Pilot Local Hire initiative, through EO11246, provides training opportunities for local females interested in starting a career in construction and assists in finding meaningful employment.

Metro previously implemented a Local Hire Pilot Program on three construction contracts, as shown below. The Federal government subsequently rescinded the Local Hire Pilot Program in October 2017.

Project Name (Subject to Pilot Local Hire)	Project Completion	Local Hire Attainment (40% goal)	Apprentice Worker Attainment (20% goal)	Disadvantaged Worker Attainment (10% goal)	Female Participation Attainment (6.9% goal)	Status
Westside Purple Line Ext. Sec 2	26.65%	40.71%	14.09%	2.46%	2.98%	On going- projected to attain goal by 2022
WPLE Section 3 – Tunnels	43.13%	36.96%	11.29%	1.74%	4.14%	On going – projected to attain goal by 2022
Southwestern Yard – Division 16	100%	49.23%	29.88%	10.20%	4.19%	Completed/Closed

Accordingly, staff is able to quickly and effectively implement local hiring provisions due to our past experience and the flexibility embedded in the Board-approved Project Labor Agreement and Construction Careers Policy.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Metro’s Project Labor Agreement/Construction Careers Policy (PLA/CCP) supports strategic plan goal #3 to enhance communities and lives through mobility and access to opportunity. Metro’s PLA/CCP provides training and employment opportunities in the construction industry to individuals from economically disadvantaged areas and individuals that are socially barriered. As of this reporting period, over \$390 million in wages have been paid to individuals residing in economically disadvantaged areas and over \$70 million in wages paid to disadvantaged individuals.

EQUITY PLATFORM

Metro’s Project Labor Agreement and Construction Careers Policy enhance equity to marginalized and vulnerable community members by creating employment opportunities in the construction industry for workers with historical barriers to employment. In addition, through Executive Order (EO) 11246, Metro is striving to diversify the workforce on construction projects to improve access to career opportunities and serve as a catalyst for improving socio-economic status for minorities and women. As of this reporting period, all active PLA/CCP construction projects have exceeded the minority participation goal of 28.30%. Female participation is below the EO11246 goal of 6.9%, however this report summarizes the effort undertaken by staff to increase female participation.

NEXT STEPS

DEOD staff will continue to monitor contractor's efforts and initiate the various strategies and activities as outlined in this report. Staff will continue to monitor and deliver best practices, initiatives, and outreach efforts to promote awareness, engagement, and participation in construction career opportunities.

ATTACHMENTS

Attachment A - PLA/CCP Quarterly Brochure

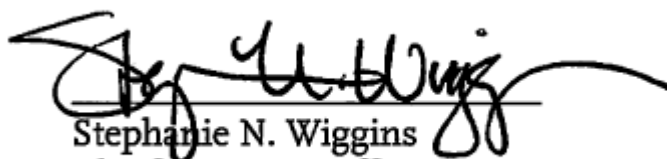
Attachment B - Women in the Trades Resource Guide

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