

**Board Report**

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**CONSTRUCTION COMMITTEE
FEBRUARY 15, 2018**

**SUBJECT: PROJECT LABOR AGREEMENT/CONSTRUCTION
CAREERS POLICY (PLA/CCP)**

ACTION: RECEIVE AND FILE

RECOMMENDATION

RECEIVE AND FILE the:

- A. Status update on the Project Labor Agreement and Construction Careers Policy programs through the quarter ending December 2017; and
- B. Female Utilization Action Plan Update.

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. 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 (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 program-wide goal for female utilization on construction contracts is 6.90%.

During Metro's Construction Committee held November 16, 2017, staff provided Metro's Board of Directors with a report benchmarking female participation on similar agency workforce programs, investigated strategies to increase female participation on construction contracts, and developed an action plan to promote greater compliance and enforcement of EO 11246 with a specific focus on female utilization. Furthermore, during Metro's Board meeting held November 30, 2017, the Board of Directors authorized staff to encourage contractors to increase women's workforce participation on Metro construction projects.

As of the reporting period, Metro's overall female utilization attainment on active projects has increased from the last quarter (September 2017) reporting of 3.35% to 3.40%. The increase in the female utilization attainment is attributed to Metro's Board directives to encourage contractors to increase women's workforce participation on Metro construction projects, including staff's focused efforts to implement the female action plan. Through the ongoing coordinated efforts and initiatives, the number of female workers hired demonstrated an increase of 39 new female workers between November 2017 and December 2017.

The attached report provides a status update of the construction projects subject to the PLA/CCP through December 2017 including an update on the Female Utilization Action Plan.

DISCUSSION

This report will provide a status update on the construction contracts covered by the PLA/CCP; an overview of Metro staff's activities to implement its female utilization action plan; an update on the Pilot Local Hire Initiatives projects; including an update on outreach activities in support of targeted hiring initiatives.

A. PLA/CCP Status Update

As of December 2017, there are eight active construction contracts and fourteen completed construction contracts with the PLA/CCP program requirements. The following is updated information regarding the active construction contracts including the female utilization participation. The information on the completed construction contracts is provided as Attachment A PLA/CCP Completed Projects.

Active Contracts:

As of the report period, seven of the eight active construction projects have contractors that are exceeding the 40% Targeted Worker goal; four contractors are exceeding the 20% Apprentice Worker goal and three contractors are exceeding 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%) | Female Utilization Goal (6.90%) | Percentage of Disadvantaged Worker Participation that are in the Criminal Justice System Category * |
|----------------------------------------------------|-------------------------------------|----------------------------|------------------------------|---------------------------------|---------------------------------|-----------------------------------------------------------------------------------------------------|
| Crenshaw/LAX Transit Corridor | Walsh/Shea Corridor Constructors | 59.71% | 22.80% | 12.41% | 3.42% | 36.65% |
| Regional Connector Transit Corridor | Regional Connector Constructors, JV | 58.17% | 16.54% | 6.83% | 2.59% | 58.89% |
| Westside Subway Extension Project, Section 1 – D/B | Skanska-Traylor-Shea, JV | 65.82% | 16.73% | 8.22% | 4.30% | 71.44% |
| Metro Blue Line Pedestrian and Swing Gates | Icon-West | 63.62% | 23.91% | 12.59% | 0.80% | 100.00% |
| Division 16 Southwestern Yard | Hensel Phelps/Herzog, JV | 51.97% | 23.93% | 9.47% | 4.75% | 48.70% |
| Patsaouras Plaza Busway Station | OHL-USA, Inc. | 61.49% | 8.26% | 2.54% | 1.61% | 54.27% |
| Bob Hope Airport/Hollywood Way Station | C.A. Rasmussen, Inc. | 39.86% | 22.29% | 15.10% | 1.35% | 43.66% |
| Non-Revenue Maintenance Bldg. at Vernon Yard | Access Pacific, Inc. | 58.99% | 14.59% | 9.74% | 9.74% | 32.20% |

Please refer to the attached PLA/CCP Data Report 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 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 80.80% of the estimated construction work hours for this project. The Contractor is currently exceeding the Targeted Worker goal at 59.71%, Apprentice Worker Goal at 22.80%, Disadvantaged Worker goal at 12.41% and the minority participation percentage goals; however, the Contractor is not meeting the 6.90% Female Participation goal at 3.42%. The attainment for the 20% Apprentice Worker goal is based on total apprenticeable hours.

Staff issued an Executive Order 11246 Notice, requesting that the Prime Contractor document efforts related to the recruitment of female workers as part of their efforts to increase female participation.

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

The Regional Connector Transit Corridor project Contractor has completed 35.16% of the estimated construction work hours for this project. The Contractor is currently exceeding the Targeted Worker goal at 58.17% and the minority participation percentage goals; however, the Contractor is not meeting the 20% Apprentice Worker goal at 16.54%, the 10% Disadvantaged Worker goal at 6.83% or the 6.90% Female Participation goal at 2.59%. The attainment for the 20% Apprentice Worker goal is based on total apprenticeable hours.

Staff issued an Executive Order 11246 Notice, requesting that the Prime Contractor document efforts related to the recruitment of female workers as part of their efforts to increase female participation.

The Contractor is currently in the process of updating its Employment Hiring Plan (EHP) to address compliance with the PLA/CCP workforce goals. Staff will continue to monitor the Contractor's EHP and 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 27.67% of the estimated construction work hours for this project. The Contractor is currently exceeding the Targeted Worker goal at 65.82% and the minority participation percentage goals; however, the Contractor is not meeting the 20% Apprentice Worker goal at 16.73%, the 10% Disadvantaged Worker goal at

8.22% or the 6.90% Female Participation goal at 4.30%. The attainment for the 20% Apprentice Worker is based on total apprenticeable hours.

The Contractor has submitted an EHP which outlines compliance with meeting the PLA/CCP workforce goals Mid-2018. Staff will continue to monitor the Contractor's EHP and work closely with the Contractor towards meeting all worker goals for this project.

Staff is in the process of issuing an Executive Order 11246 Notice, to request Prime Contractor to document efforts related to the recruitment of female workers as part of their effort to increase female participation.

Metro Blue Line Pedestrian and Swing Gates

Prime: Icon-West

The Metro Blue Line Pedestrian and Swing Gates project Contractor has completed 99.14% of the estimated construction work hours on this project. The Contractor is currently exceeding the Targeted Worker goal at 63.62%, Apprentice Worker goal at 23.91%, Disadvantaged Worker goal at 12.59% and the minority participation percentage goals; however, the Contractor is not meeting the 6.90% Female Participation goal at 0.80%. The attainment for the 20% Apprentice Worker is based on total apprenticeable hours.

Staff issued a notice and met with the Prime Contractor to discuss the low female utilization attainment on this project. Contractor responded by hiring two additional female workers on the project which resulted in a slight increase in female participation attainment (from 0.25% to 0.80%).

Division 16 - Southwestern Yard

Prime: Hensel Phelps/Herzog, J.V.

The Division 16 Southwestern Yard project Contractor has completed 56.32% of the estimated construction work hours on this project. The Contractor is currently exceeding the Local Targeted Worker goal at 51.97%, Apprentice Worker goal at 23.93%, and the minority participation percentage goals; however, the Contractor is not meeting the 10% Disadvantaged Worker goal at 9.47% and the 6.9% Female Participation goal at 4.75%. The attainment for the 20% Apprentice Worker is based on total apprenticeable hours.

The Contractor indicated that several disadvantaged workers were hired on the project which will increase the Disadvantaged Worker attainment above the 10% requirement by next reporting cycle. Staff will work closely with the Contractor towards meeting all worker goals for this project. This contract falls under the United States Department of Transportation's (U.S. DOT) Local Hire Pilot Program.

Staff is in the process of issuing an Executive Order 11246 Notice, to request Prime Contractor to document efforts related to the recruitment of female workers as part of their effort to increase female participation.

Patsaouras Plaza Busway Station

Prime: OHL-USA, Inc.

The Patsaouras Plaza Busway Station project Contractor has completed 50.13% of the estimated construction work hours on this project. The Contractor is currently exceeding the Targeted Worker goal at 61.49% and the minority participation percentage goals; however, the Contractor is not meeting the 20% Apprentice Worker goal at 8.26%, the 10% Disadvantaged Worker goal at 2.54% or the 6.90% Female Participation goal at 1.61%. The attainment for the 20% Apprentice Worker is based on total apprenticeable hours.

Metro staff issued a Notice of Non-Compliance on November 2017 for the low attainment of the Apprentice and Disadvantaged Worker goals. The Contractor submitted a revised Employment Hiring Plan with action plan for meeting all PLA/CCP workforce provisions by end of the project. Staff will continue to monitor the Contractor's EHP and will work closely with the Contractors towards meeting all worker goals for this project.

Staff is in the process of issuing an Executive Order 11246 Notice, to request Prime Contractor to document efforts related to the recruitment of female workers as part of their effort to increase female participation.

Bob Hope Airport/Hollywood Way Station

Prime: C.A. Rasmussen, Inc.

The Bob Hope Airport/Hollywood Way Station project Contractor has completed 48.80% of the estimated construction work hours on this project. The Contractor is currently exceeding the Apprentice Worker goal at 22.29%, Disadvantaged Worker goal at 12.49% and the minority participation percentage goals; however, the Contractor is not meeting the 40% Targeted Worker goal at 39.862%, and the 6.9% Female Participation goal at 1.35%. The attainment for the 20% Apprentice Worker is based on total apprenticeable hours.

Staff issued a notice and met with the Prime Contractor to discuss the low female utilization attainment on this project. Contractor responded by hiring a female worker on the project, which resulted in a slight increase in female participation attainment (from 0% to 1.35%).

The Contractor has submitted an EHP which outlines compliance with meeting the PLA/CCP workforce goals in January 2018. Staff will continue to monitor the Contractor's EHP and work closely with the Contractor towards meeting all worker goals for this project.

Non-Revenue Maintenance Bldg. at Vernon Yard

Prime: Access Pacific, Inc.

The Non-Revenue Maintenance Bldg. at Vernon Yard project Contractor has completed 57.19% of the estimated construction work hours on this project. The Contractor is currently exceeding the

Targeted Worker goal at 58.99%, Female Participation goal at 9.74% and the minority participation percentage goals; however the Contractor is not meeting the 20% Apprentice Worker goal at 14.59% and the 10% Disadvantaged Worker goal at 9.74%. The attainment for the 20% Apprentice Worker is based on total apprenticeable hours.

The Contractor has submitted an EHP which outlines compliance with meeting the PLA/CCP workforce goals by February 2018. Staff will work closely with the Contractor towards meeting all worker goals for this project.

Female Utilization Update

Provided in the following table is the female utilization participation report on Metro’s PLA/CCP projects. 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 October 2017 | No. of Female Workers November 2017 | No. of Female Workers December 2017 |
|----------------------------------------------|-------------------------------------|---------------------------------------|----------------------------------------|----------------------------------------|
| Crenshaw/LAX Transit Corridor | Walsh/Shea Corridor Constructors | 126 | 132 | 137 |
| Regional Connector Transit Corridor | Regional Connector Constructors, JV | 38 | 45 | 48 |
| Westside Subway Extension Project, Section 1 | Skanska-Traylor-Shea, JV | 44 | 44 | 54 |
| Metro Blue Line Pedestrian and Swing Gates | Icon-West | 3 | 3 | 4 |
| Division 16 – Southwestern Yard | Hensel Phelps/Herzog, JV | 18 | 19 | 22 |
| Patsaouras Plaza Busway Station | OHL, USA, Inc. | 1 | 1 | 1 |
| Bob Hope Airport/Hollywood Way Station | C.A. Rasmussen, Inc. | 0 | 1 | 1 |
| Non-Revenue Maintenance Bldg at Vernon Yard | Access Pacific, Inc. | 0 | 2 | 2 |

B. Female Utilization Action Plan Update

As requested by Metro's Board, staff within Diversity and Economic Opportunity conducted a cursory assessment of other agency's workforce programs, hiring best practices and strategies utilized to increase female participation. Staff gathered the information and incorporated the best practices into the development of Metro's Female Utilization Action Plan and following is an update as of this reporting period.

- **Female Participation Resource Guide:** Staff is developing a Female Participation Resource Guide that Contractors can use as a resource to increase female participation and retention on construction contracts as outlined by the EHP. The resource guide will include training and recruitment sources, outreach best practices, support service resources, and worksite and retention best practices. Staff has completed a draft list of support service resources to include in the Female Participation Resource Guide which includes the following:
 - women's support services
 - family source, work source, and youth source services
 - childcare and afterschool programs
 - gender sensitivity and management training resources
 - ex-offender/ new contributor resources
 - healthcare and housing resources.

Status: In progress

- **Milestone:** Complete the Female Participation Resource Guide in February 2018.
- **Workforce Utilization Study:** Initiated development of the scope of work for a Workforce Utilization (Disparity) Study to determine the availability of women and minorities in the construction trades throughout the Los Angeles County region. The study will identify the demand for construction labor by Metro and other agencies in the region, the available labor supply, and the labor supply shortfall. Staff has acquired and reviewed workforce and disparity study assessments from Seattle Sound Transit, San Francisco Bay Area Rapid Transit District (BART), Oregon Department of Transportation and the City of Cincinnati for research and best practices to develop the statement of work.

Status: In progress

Milestone: Issue the request for proposal for the procurement in March 2018.

- **Contractor Scorecard:** Staff has completed the grading scale for the Contractor scorecard which scores a Contractor's attainments towards Executive Order 11246's female participation goal of 6.9%. Staff is working in collaboration with Metro's Communications team on the design and development of the print and web version of the scorecard.

Status: In progress

Milestone: Implement the scorecard on Metro's PLA/CCP webpage and the PLA/CCP quarterly brochure in March 2018.

- Develop solicitation language: Developed language to include in construction contract solicitations requiring contractors to include a Female Utilization Action Plan in efforts to increase female participation on their projects. The solicitation language is currently being reviewed by Metro's Procurement Administration & Policy staff and County Counsel.

Status: In progress

Milestone: Incorporate approved language into applicable construction contract templates by March 2018.

- Evening WINTER training classes: Staff met with the Women in Non-Traditional Employment Roles (WINTER) organization and researched the feasibility of subsidizing evening training programs for women seeking construction careers. The issue of women unable to participate in WINTER's construction training program since it requires daytime availability was discussed. WINTER has provided staff with draft schedules for three to four training sessions per year including the resource requirements. DEOD staff will continue to coordinate discussions with WINTER and enlist external partners to participate in the discussion in effort to identify resources that can be leveraged to subsidize the evening training courses.

Status: In progress

Milestone: In coordination with WINTER and other potential partners, finalize logistics to begin the training sessions by summer 2018.

- PLA/CCP Summit: Plan summit which will focus on increasing female participation on construction projects. The summit will feature a panel of women in the construction industry, industry speakers including trade representatives, private employers and others to discuss female apprentices, challenges faced by female workers and best practices for increasing the retention rates of female workers.

Status: Pending

Milestone: Host summit late summer 2018.

DEOD staff will continue to focus on ongoing efforts and initiatives such as:

- Apprenticeship Referrals: PLA/CCP job coordinators have been instructed to refer candidates to pre-apprenticeship training programs that are recognized by the Building Trade's apprenticeship organizations. Pre-apprenticeship training programs utilizing the MC3 curriculum are accepted by the Building Trade's apprenticeship training programs and should only be used as referrals.
- Internal Process of EO11246 goals: Staff has implemented internal compliance procedures to reinforce EO11246 goals. Staff currently tracks Contractor's attainments toward PLA/CCP goals on projects at 25%, 50% and 75% completion; which this process has been expanded to monitor compliance of female participation in efforts to identify and discuss strategies to achieve the goal.

In addition, staff will continue to implement the various activities that have been outlined as part of the Female Utilization Action Plan such as: host a training session with Contractors and the job coordinators on initiatives to increase female utilization on construction projects; publically recognize Contractor's that meet and/or exceed the female goal; and continue to work in collaboration with

Metro's Women & Girls Governing Council (WGGC), Metro's Women Build LA initiative and Workforce Initiative Now-Los Angeles (WIN-LA) in efforts focused on female outreach, inclusion and advancement in the construction trades.

C. Pilot Local Hire Update

On October 6, 2017, the Federal Register published a notice from the USDOT announcing the withdrawal of the Pilot Local Hire program. Metro has three construction projects awarded subject to the USDOT Pilot Local Hire Initiative which include:

- C0991 Division 16 - Southwestern Yard (contract value of \$172M)
- C1120 Westside Purple Line Extension Project - Section 2 (contract value of \$1.3B)
- C1153 Purple Line Extension Section 3 - Advanced Utility Relocations (contract value of \$11M).

In addition, Metro has seven rolling stock contracts that contain the Local Employment Plan (LEP).

- A650-2015 Heavy Rail Vehicle Overhaul
- P2000 Light Rail Vehicle Overhaul
- HR400 Purchase of New Heavy Rail Vehicles
- OP28367-000 Forty Foot (40') Low Floor CNG Buses
- OP28367-001 Sixty Foot (60') Low Floor Zero Emission Buses
- OP28367-002 Forty Foot (40') Low Floor Zero Emission Buses
- OP28367-003 Sixty Foot (60') Low Floor CNG Buses.

These combined seven projects will create new jobs in Los Angeles County totaling over \$62.3 million in wages and benefits over the next seven years. The LEP is projected to create an estimated 217 new jobs for the base and option contract terms for the seven projects.

D. 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 and engaged of construction career opportunities available through the PLA/CCP. Staff consistently collaborates with community based organizations and other partners including the contractors on outreach events, initiatives and activities.

Staff participated in the following outreach events:

- The Metro "Women Build METRO LA" Committee conducted a quarterly Apprenticeship Readiness Fair symposium on the Transportation Industry on November 3, 2017 at Long Beach Community College (4th District). It focused on the many opportunities for women in the transportation industry with special focus on the construction trades. The next Fair will be scheduled in the 5th District in spring 2018.
- On November 27, 2017, WBMLA and Women in Non Traditional Employment Roles (WINTER) hosted apprenticeship training center tours to the Steamfitters-Pipefitters JACTC, Laborers Local

1309, Boilermakers Local 92 and Southern California Sheet Metal JATC.

- On January 5, 2018, WBMLA and Project Labor Agreement staff attended the Homeless Support Network Meeting to inform the coalition of service providers about taking advantage of upcoming opportunities for disadvantaged workers and women who want to work in the construction trades.

NEXT STEPS

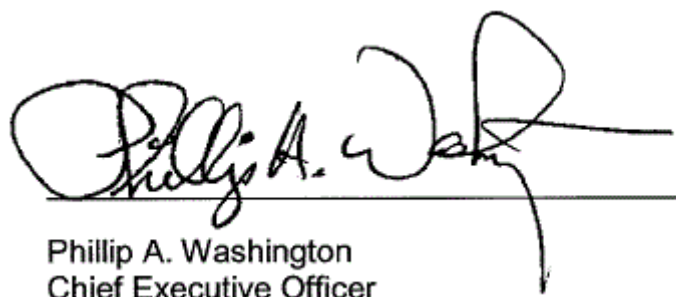
DEOD staff will continue to monitor Contractor's hiring efforts and initiate the newly proposed and recurring activities as outlined. Staff will continue to identify initiatives and outreach efforts to promote awareness, engagement and participation in construction career opportunities; including implement the Female Utilization Action Plan.

ATTACHMENTS

Attachment A - PLA/CCP Completed Projects
Attachment B - PLA/CCP Report Data

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