



Board Report

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**CONSTRUCTION COMMITTEE
EXECUTIVE MANAGEMENT COMMITTEE
SEPTEMBER 17, 2015**

**SUBJECT: PROJECT LABOR AGREEMENT (PLA)/CONSTRUCTION CAREERS POLICY (CCP)
REPORT (DATA THROUGH JUNE 2015), AND 12-MONTH PILOT LOCAL HIRE INITIATIVE
UPDATE**

ACTION: RECEIVE AND FILE

RECOMMENDATION

RECEIVE AND FILE status update report on the **Project Labor Agreement and Construction Careers policy programs for activity through the quarter ending June 2015.**

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 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 June 2015) of construction projects subject to the PLA/CCP.

DISCUSSION

There are nine active construction contracts and five completed contracts, as of June 2015, with the PLA/CCP program requirements.

Project Name:	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/LAX Transit Corridor	Walsh/Shea Corridor Constructors	58.98%	17.91%	10.85%	43.47%
Regional Connector Transit Corridor	Regional Connector Constructors, JV	60.73%	14.77%	10.88%	95.93%
Metro Red Line/Metro Orange Line (MRL/MOL) North Hollywood Station West Entrance	Skanska	61.69%	16.33%	8.52%	83.92%
Division 13 CNG Fueling Facility Design/Build/Operate	Clean Energy	67.54%	20.17%	60.72%	49.48%
Metro Blue Line Station Refurbishment Project	S.J. Amoroso	55.42%	27.16%	11.11%	22.05%
Universal City Pedestrian Bridge	Griffith Company	30.01%	26.01%	7.95%	38.34%
Westside Subway Extension Advanced Utility Relocation (Fairfax Station)	W.A. Rasic	60.00%	18.82%	7.31%	19.48%
Metro Rail Security Kiosks	Icon-West	46.60%	33.80%	24.49%	100%
Westside Extension Project Advanced Utility Relocation (La Cienega Station)	Bubalo Construction	78.11%	14.96%	34.50%	2.07%

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

*Percentage of Disadvantaged Workers that are in the Criminal Justice System Category

Part of Metro's PLA/CCP workforce requirement is the utilization of Disadvantaged workers on the project. 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 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 project sites.

Currently Active Contracts

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

The contractor is currently attaining Targeted Worker, Apprentice Worker and Disadvantaged Worker percentages of 58.98%, 17.91% and 10.85%, respectively. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. The contractor is currently exceeding the Targeted Worker, Disadvantaged Worker and the minority participation percentage goals, but not meeting the 20% Apprentice Worker goal and the 6.90% Female Participation goal (2.54%). The contractor has submitted a plan and schedule indicating that the apprentice goal for this project should be achieved in January of 2017. Staff will continue to work closely with the contractor toward meeting all worker goals for this project. To date, 24.36% of the estimated construction work hours for this project have been performed. No work stoppages have occurred on this contract.

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

The Regional Connector Transit Corridor Project contractor is currently attaining Targeted Worker, Apprentice Worker and Disadvantaged Worker percentages of 60.73%, 14.77% and 10.88% respectively. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. The contractor is currently exceeding the Targeted Worker, Disadvantaged Worker and the minority participation percentage goals, but not meeting the 20% Apprentice Worker goal and the 6.90% Female Participation goal (5.10%). This project is still in the design-phase with limited construction activities and attainment is in line with the contractor's submitted Employment Hiring Plan which states that the Apprentice Worker goal will be met in mid-2016. To date, 0.94% of the estimated construction work hours for this project have been performed. No work stoppages or grievances have occurred on this contract.

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 is currently attaining Targeted Worker, Apprentice Worker and Disadvantaged Worker percentages of 61.69%, 16.33% and 8.52%, respectively. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. The contractor is currently exceeding the Targeted Worker and the minority participation goals, but not meeting the 20% Apprentice Worker goal, 10% Disadvantaged Worker goal and the 6.90% Female Participation goal (5.98%). Metro staff issued a Notice of Non-Compliance to the Contractor for the low Apprentice and Disadvantaged Worker percentage attainments and will keep the Board updated on the Contractor's progress. To date, 35.58% of the estimated construction work hours for this project have been performed. No work stoppages or grievances have occurred on this contract.

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

The Division 13 CNG Fueling Facility, Design/Build/Operate project contractor is currently attaining Targeted Worker, Apprentice Worker and Disadvantaged Worker percentages of 67.54%, 20.17% and 60.72%, respectively. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. The contractor is currently exceeding the Targeted Worker, Apprentice Worker, Disadvantaged Worker, and the minority participation percentage goals, but not meeting the 6.90% Female Participation goal (1.69%). To date, 100% of the estimated construction work hours for this project have been performed and is currently in a close-out phase. Final attainments will be reported in the next quarterly report. No work stoppages or grievances have occurred on this contract.

Metro Blue Line Station Refurbishments
Prime: S.J. Amoroso

The Metro Blue Line Station Refurbishments project contractor is currently attaining Targeted Worker, Apprentice Worker and Disadvantaged Worker percentages of 55.42%, 27.16%, and 11.11%, respectively. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. The contractor is currently exceeding the Targeted Worker, Apprentice Worker, Disadvantaged Worker, and the minority participation percentage goals, but not meeting the 6.90% Female Participation goal (0.30%). To date, 55.22% of the estimated construction work hours for this project have been performed. No work stoppages have occurred on this contract.

Universal City Pedestrian Bridge
Prime: Griffith Company

The Universal City Pedestrian Bridge project contractor is currently attaining Targeted Worker, Apprentice Worker and Disadvantaged Worker percentages of 30.01%, 26.01% and 7.95%, respectively. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. The contractor is currently exceeding the Apprentice Worker and the minority participation goals, but not meeting the 40% Targeted Worker goal, 10% Disadvantaged Worker goal and the 6.90% Female Participation goal (1.67%). Metro staff issued a Notice of Non-Compliance to the

Contractor for the low Targeted and Disadvantaged Worker percentage attainments and will keep the Board updated on the Contractor's progress. To date, 67.74% of the estimated construction work hours for this project have been performed. No work stoppages have occurred on this contract.

Westside Subway Extension Advanced Utility Relocation (Fairfax Station)

Prime: W.A. Rasic

The Westside Subway Extension Advanced Utility Relocation - Fairfax Station project contractor is currently attaining Targeted Worker, Apprentice Worker and Disadvantaged Worker percentages of 60.00%, 18.82% and 7.31%, respectively.

The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. The contractor is currently exceeding the Targeted Worker and the minority participation goals, but not meeting the 20% Apprentice Worker goal, 10% Disadvantaged Worker goal and the 6.90% Female Participation goal (1.61%). Metro staff issued a Notice of Non-Compliance to the contractor for the low Apprentice and Disadvantaged Worker percentage attainments and will keep the Board updated on the Contractor's progress. To date, 81.84% of the estimated construction work hours for this project have been performed. No work stoppages have occurred on this contract.

Metro Rail Security Kiosks

Prime: Icon-West

The Metro Rail Security Kiosks project contractor is currently attaining Targeted Worker, Apprentice Worker and Disadvantaged Worker percentages of 46.60%, 33.80%, and 24.49%, respectively. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. The contractor is currently exceeding the Targeted Worker, Apprentice Worker, Disadvantaged Worker, and the minority participation percentage goals, but not meeting the 6.90% Female Participation goal (0.0%). To date, 30.37% of the estimated construction work hours for this project have been performed. No work stoppages or grievances have occurred on this contract.

Westside Extension Project Advanced Utility Relocation (La Cienega)

Prime: Bubalo Construction

The Westside Extension Project Advance Utility Relocation project contractor is currently attaining Targeted Worker, Apprentice Worker and Disadvantaged Worker percentages of 78.11%, 14.96%, and 34.50%, respectively. The attainment for the 20% Apprentice Worker goal is based on total apprentice-able hours. The contractor is currently exceeding the Targeted Worker, Disadvantaged Worker, and the minority participation percentage goals, but not meeting the Apprentice Worker and the 6.90% Female Participation goal (0.82%). To date, 13.06% of the estimated construction work hours for this project have been performed. No work stoppages or grievances have occurred on this contract.

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%

Crenshaw Advanced Utility Relocation Project
Prime: Metro Builders

The Crenshaw Advanced Utility Relocation project contractor attained Targeted Worker, Apprentice Worker and Disadvantaged Worker percentages of 61.41%, 13.84% and 21.08% respectively. The attainment for the 20% Apprentice worker goal is based on total apprentice-able hours. The Crenshaw Advanced Utility Relocation project is 100% complete, as of September 2014. Final reporting shows that the Targeted Worker, Disadvantaged Worker and the minority participation percentage goals were attained with the exception of the Apprentice Worker and the 6.90% Female Participation goal (0.52%). 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 contractor attained Targeted Worker, Apprentice Worker and Disadvantaged Worker percentages of 67.47%, 11.12% and 11.08% respectively. The attainment for the 20% Apprentice worker goal is based on total apprentice-able hours. The Westside Subway Extension Advanced Utility Relocation is now complete, as of the

November 2014. Final Targeted Worker, Disadvantaged Worker, minority participation percentage and the 6.90% Female Participation goals (7.48%) were attained with the exception of the Apprentice Worker goal. 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 Exploratory Shaft project contract attained Targeted Worker, Apprentice Worker and Disadvantaged Worker percentages of 50.88%, 75.05% and 11.23% respectively. The attainment for the 20% Apprentice worker goal is based on total apprentice-able hours. The Westside Subway Exploratory Shaft project is now complete, as of the October 2014. Final Targeted Worker, Apprentice Worker, Disadvantaged Worker and the minority participation percentages were attained with the exception of the 6.90% Female Participation goals (0.42%). No work stoppages or grievances have occurred on this contract.

Regional Connector Transit Corridor Advanced Utilities Relocation
Prime: Pulice Construction

The Regional Connector Transit Corridor Advanced Utilities Relocation project contractor attained Targeted Worker, Apprentice Worker and Disadvantaged Worker percentages of 51.61%, 21.37% and 22.83% respectively. This contract was terminated for convenience in April 2015 and is now closed. Final reporting shows that the Targeted Worker, Apprentice Worker, Disadvantaged Worker and the minority participation goals were attained with the exception of the 6.90% Female Participation goal (2.57%).

CNG Emergency Generator Division 7 and 8
Prime: Taft Electric

The CNG Emergency Generator Division 7 and 8 project contractor attained Targeted Worker, Apprentice Worker and Disadvantaged Worker percentages of 46.42%, 25.51% and 39.08%, respectively. The attainment for the 20% Apprentice worker is based on total apprentice-able hours. The CNG Emergency Generator Division 7 and 8 project is 100% complete as of May 2015. Final reporting shows that the Targeted Worker, Apprentice Worker, Disadvantaged Worker and the minority participation percentage goals were attained with the exception of the 6.90% Female Participation goal (4.68%). No work stoppages or grievance have occurred on this project.

FEMALE UTILIZATION UPDATE:

At the July 2015 Board Meeting, Director Dupont-Walker requested a female utilization participation

report on Metro's PLA/CCP projects to track improvements. Shown below is a chart of female utilization percentages on active PLA/CCP projects within the last three months.

		Executive Order 11246 (6.90% Female Participation)		
Project Name:	Prime Contractor:	Female Utilization (%) April 2015	Female Utilization (%) May 2015	Female Utilization (%) June 2015
Crenshaw/LAX Transit Corridor	Walsh/Shea Corridor Constructors	2.66%	2.64%	2.54%
Regional Connector Transit Corridor	Regional Connector Constructors, JV	4.34%	4.29%	5.10%
Metro Red Line/Metro Orange Line (MRL/MOL) North Hollywood Station West Entrance	Skanska	3.05%	3.73%	5.98%
Division 13 CNG Fueling Facility Design/Build/Operate	Clean Energy	1.69%	1.69%	1.69%
Metro Blue Line Station Refurbishment Project	S.J. Amoroso	0.48%	0.48%	0.30%
Universal City Pedestrian Bridge	Griffith Company	2.18%	1.86%	1.67%
Westside Subway Extension Advanced Utility Relocation (Fairfax Station)	W.A. Rasic	0.84%	1.21%	1.61%
Metro Rail Security Kiosks	Icon-West	Project has not started	0.00%	0.00%
Westside Extension Project Advanced Utility Relocation (La Cienega Station)	Bubalo Construction	Project has not started	Project has not started	0.82%

In an effort to increase female participation within Metro's PLA/CCP projects, staff is currently coordinating the following efforts.

- Metro has convened a taskforce 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 Trade Council Executive Secretary, Ron Miller, IBEW Vice President Jane Templin, UNITEHERE President, Maria Elena Durazo, Women in Non-Traditional Employment Roles (WINTER), National Association of Women Business Owner (NAWBO), National Association of Women in Construction (NAWIC), Women's Transportation Seminar (WTS), Prime Contractors, Jobs Coordinators and others.

- Metro staff has convened a Women Build LA Committee to develop a Pre-Apprenticeship training program in conjunction with Los Angeles Trade Technical College. The most recent meeting held on August 14, 2015 included the Vice President 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 Pre-Apprenticeship training program.
 - The 1st Pre-Apprenticeship training program is scheduled to take place in October 2015
 - Recruitment for this training program will be focused primarily on women interested in starting a career in the construction industry.

Staff will report to the Board on the developments of this program.

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 will be carried out as a pilot program for a period of 1 year unless extended 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 will be 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 must obtain DOT and FTA approval to use the Local Hire Pilot program on its Rolling Stock projects. Metro requested approval from the DOT and FTA on March 30, 2015, to use the Pilot program on its Rolling Stock procurements and is awaiting a formal decision. In the meantime Metro has issued three solicitations for the New Heavy Rail Vehicle and two rail car Overhaul procurements for the A-650 Red Line Car and the P2000 Blue Line Car, which all contain the Pilot Local Hire Initiative.

If DOT approval is not granted to Metro to use the Pilot Local Hire Program on Metro's Rolling Stock projects, Metro intends to amend all three solicitations to apply the FTA approved U.S. Employment Program that was successfully implemented on the P3010 Light Rail Vehicle Contract.

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 the opportunities, the contractors and DEOD participates and/or coordinated the following outreach efforts during this reporting period:

- Updated Metro's Federal Legislative Programs to request more stringent rules and local enforcement capabilities regarding employment of women and under-represented minorities in construction.
- Daily/Weekly/bi-weekly meetings with outreach team, contractor, elected staffers and/or community representatives.
- Presentation at the Los Angeles County Jail on Metro's PLA/CCP workforce initiatives held on June 2, 2015.
- "10,000 Strong" Veterans Career Summit held on July 14, 2015.
- Flintridge Center Apprenticeship Preparatory Graduation Ceremony held on August 6, 2015.
- 3rd Annual Veterans Economic Summit Job Fair held on August 7, 2015.
- Inaugural Career and Resources Fair for Veterans held on August 21, 2015.

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 June 2015

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