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October 12, 2021

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Subject: **Receive and File a Status Update on Negotiations of a Pilot Project Labor Agreement with the Ventura County Building Trades and Approve Removal of the Thousand Oaks Fire Station #34, Santa Paula Fire Station #29, Fire Training Center, and Hangar Facility Replacement Projects from the Pilot Project Labor Agreement Program**

Recommendations:

- 1) Receive and File a Status Update on Negotiations of a Pilot Project Labor Agreement with the Ventura County Building Trades
- 2) Approve Removal of the Thousand Oaks Fire Station #34, Santa Paula Fire Station #29, Fire Training Center, and Hangar Facility Replacement from the Pilot Project Labor Agreement Program.

Discussion:

On July 28, 2020 your Board directed staff to study the advantages and disadvantages of using a Community Workforce Agreement (CWA) for certain County and dependent special district public works projects and report back to the Board recommendations for implementation of a CWA. It was the Board's desire to increase the use of local labor in a socially equitable fashion using a CWA. At this meeting, a CWA between Oxnard Union High School District (OUHSD) and the Tri-Counties Building and Construction Trades Council (TCBTC) was presented. The TCBTC draft CWA presented to your Board covered all County construction projects over \$250,000 to be undertaken during the term (5-years) of the CWA.



On September 15, 2020, staff returned to your Board and presented a detailed analysis of their findings on the advantages and the disadvantages of using a CWA for all projects exceeding \$250,000. The conclusion was that the advantages of using the TCBTC Draft CWA might increase project costs by ten percent or by \$75M over the five-year life of the CWA. Staff thought that the estimated cost increase could potentially be mitigated through refinement and clarification of key elements of the TCBTC draft CWA.

On November 10, 2020, your Board directed staff to negotiate a pilot Project Labor Agreement (PLA), i.e., project specific CWA with TCBTC, Laborers International Union of North America Local 585, and the Southwest Regional Council of Carpenters Local 805 for four specific projects. Your Board also directed that each of the four PLA projects be bid with a PLA and without a PLA. At the conclusion of the four projects, staff was to assemble the project data and determine the benefits (as determined by your Board and included below) and increased costs (if any) of using a PLA on County projects.

The projects your Board directed that staff include in the pilot PLA program were:

1. Thousand Oaks Fire Station #34
2. Santa Paula Fire Station #29
3. Fire Training Center
4. Sheriff's Hangar Replacement Facility

Your Board's goals for adopting a PLA, as stated on slide 13 of the staff's presentation during the September 15, 2020 Board hearing, are as follows:

1. Support hiring Ventura County residents
 - a. Keeps local dollars local - which creates an economic force multiplier
 - b. Keeps residents of Ventura County "close to home" while they work – better quality of life
2. Promote social equity through targeted "apprenticeship" hiring of disadvantaged or underrepresented Ventura County communities
 - a. Develops a more skilled county workforce – reduces unemployment
 - b. Better pay for workers which ensures "living wage" – raises standard of living, which means less dependence on local aid

Starting in early December 2020, staff from Ventura County Public Works Agency (PWA) and the Ventura County Fire District began negotiating the PLA language with TCBTC to develop a legally defensible PLA meeting the Board's stated goals (above) while minimizing project cost increases. Over the last 9-months; staff and TCBTC have met on a regular basis to discuss all sections of the agreement. At these meetings, both parties shared their ideas on how best to accomplish your Board's goals within the framework of



a legally defensible PLA and recognizing the requirements under the law for public works projects by local governments.

While much progress has been made on the negotiation of the PLA, TCBTC has asked to press pause on the PLA negotiations at this time, putting the negotiated agreement in its modified form on the shelf for future use should they decide to return with a request that a PLA be adopted for another project(s). Staff appreciates TCBTC's engagement throughout this process and supports TCBTC's request as it preserves the hundreds of hours of work that have been spent in negotiations to date. TCBTC tells us that a major reason for their request is that their affiliates, numbering approximately 22, are unanimous in the request largely due to the fact that the Pilot PLA projects would be bid with and without a PLA.

Staff recommends that your Board rescind the requirement to adjoin a PLA to the four projects identified above. Staff will then proceed with public bidding of those construction contracts without a PLA.

This item has been reviewed by the County Executive Office, the Auditor-Controller's Office, County Counsel and the Fire District.

If you have any questions concerning this item, please call me at (805)654-2096.

Sincerely,



Christopher E. Cooper, P.E.
Director – Engineering Services Department

