

The Corps of Engineers Norfolk District is soliciting comments from the construction community addressing the potential use of a Project Labor Agreement (PLA) for the following large scale (exceeding \$25 million) construction project:

AIT Barracks Complex Phase II, Fort Lee, VA

Project Description:

This is a portion of phase II of a three phase project. Construct one 300PN 5-story barracks addition to an existing 300PN 5-story barracks/COF Facility in accordance with the current standard design facilities approved for Fort Lee. Project includes installation of Intrusion Detection System (IDS), connection to Energy Monitoring and Control System (ECMS), Special Foundations and Information Systems. Supporting Facilities include utilities; electric service, water, sewer and gas; paving, walks curbs and gutters; storm drainage; site improvements; information systems, as well as demolition of 6 existing facilities that are currently located on the site. Anti-terrorism/force protection measures will be provided. Comprehensive building and furnishings related interior design services are required. Sustainable Design and Development (SDD) and Energy Policy Act of 2005 (EPAAct05) features will be included. Air Conditioning (Estimated 200 Tons).

Range of Magnitude: Between \$25,000,000.00 and \$100,000,000.00.

Period of Performance: approximately 730 calendar days after Notice to Proceed. Notice to Proceed is anticipated to occur between May 2013 and June 2013

Some of the factors that may be considered regarding PLA use are:

- a. The involvement of multiple contractors and/or subcontractors working in multiple crafts or trades.
- b. The complexity of the project.
- c. Shortage of skilled labor in the region.
- d. Completion of the project will require an extended period of time.
- e. The use of PLA's on other comparable projects in this geographic area.
- f. The promotion of the Governments long term programs interests such as training of skilled workforce for future projects.
- g. The possibility of labor disputes that threaten timely completion.
- h. Additional costs from use of PLAs may be cost prohibitive.

A PLA is defined as a pre-hire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific construction project and is an agreement described in 29 U.S.C. 158(f).

Federal Acquisition Regulation (FAR) Policy:

- a. Project Labor Agreement (PLA) is a tool that agencies may use to promote economy and efficiency in Federal procurement. Pursuant to Executive Order 13502, agencies are encouraged to consider requiring the use of project labor

agreements in connection with large-scale construction projects.

b. An agency may, if appropriate, require that every contractor and subcontractor engaged in construction on the project agree, for that project, to negotiate or become a party to a project labor agreement with one or more labor organizations if the agency decides that the use of project labor agreements will -

1. Advance the Federal Governments interest in achieving economy and efficiency in Federal procurement, producing labor-management stability, and ensuring compliance with laws and regulations governing safety and health, equal employment opportunity, labor and employment standards, and other matters; and

2. Be consistent with law.

Reference: Provision: 52.222-33 Notice of Requirement for Project Labor Agreement Clause 52.222-34 Project Labor Agreement.

In consideration of the above factors, and any others which may be deemed appropriate, the construction community is invited to comment on the use of PLAs. Of particular interest to the Government are responses to the following questions:

a. Should a PLA be executed on the above described AIT Barracks Complex Phase II at Fort Lee, VA? What benefits do you believe a PLA could achieve? What other factors should the Corps consider before deciding to include PLA provisions for the AIT Barracks Complex Phase II at Fort Lee, VA?

b. Will the use of a PLA be effective in achieving economy and efficiency? If so, how? What is the estimated relative cost impact, or any other economies or efficiencies derived by the Federal Government, if using a PLA? Will a PLA impact the cost of submitting an offer?

c. Are there any concerns regarding labor-management stability related to this project? Will the use of a PLA produce labor-management stability on this project? Have labor disputes or other labor issues contributed to project delays in the local area? Are you aware of examples of labor-management conflicts in the area which could impact the efficiency of this project, which a PLA could positively impact/resolve?

d. Will use of a PLA be conducive to ensuring compliance with laws and regulations governing safety and health, equal employment opportunity, labor and employment standards, and other relevant matters on this project? Are there instances where these standards have not been met on Federal contracts in the local area? Were PLAs used for those specific contracts?

e. This project will require construction contractors and/or subcontractors employing workers in multiple crafts or trades. Do you foresee any work on this project that may result in both the prime contractor and at least one subcontractor, or two or

more subcontractors, employing the same trade?

f. Are there concerns by prime contractors on the availability of skilled construction labor? Are there large scale construction projects in the area (over \$25M, within 50 miles of Fort Lee, VA) which could impact availability of skilled labor for this project? What is the anticipated volatility in the labor market for the trades required for the execution of the project?

g. Is the proposed schedule/completion time one which would benefit from a PLA - if so, how? Will a PLA impact the completion time? Would a PLA benefit a project which contains a unique and compelling mission-critical schedule?

h. Where have PLAs been used on comparable projects undertaken by Federal, State, municipal, or private entities in the geographic area of this project?

i. Will the use of PLAs impact the ability of potential Offerors and subcontractors to meet small-business utilization goals?

Please provide your comments via e-mail to Jennifer Majdeski, Contract Specialist at Jennifer.r.majdeski@usace.army.mil no later than 11:00AM EST on 6 Feb 2013.

This is NOT a Request for Proposal and does not constitute any commitment by the Government. Responses to this labor market survey will be used by the Government to make appropriate acquisition decisions.