



DAVILLIER-SLOAN, INC.
LABOR MANAGEMENT CONSULTANTS



February 12, 2013

Dr. Sadiq Ikharo
Peralta Community College District
501 5th Avenue
Oakland, CA 94606

Subject: Proposal to Provide Professional Project Labor Agreement Services

Dear Dr. Ikharo:

Davillier-Sloan, Inc. (DSI) proposes to continue to provide a full range of services related to the Project Labor Agreement (PLA) for the Peralta Community College District (District) with a primary focus on local hiring. In addition, DSI will provide a full range of labor relations and dispute resolution services, based on extensive experience in the construction industry. As needed, DSI will be supported in providing these services by outside consultants Bradford Coupe and Ed Manning. Details of the proposed scope of work are attached. We propose to provide these services for a fee not to exceed \$40,000 for the period of March 1, 2013 through February 28, 2014.

We look forward to continuing our relationship with the District and to providing collaborative, user friendly and cost efficient services. If you have any questions about our proposal or qualifications, please do not hesitate to contact me.

Sincerely,

Jake Sloan,
President

CC: Charles Neal, PCCD



**Proposal to Provide Continuing
Consulting Services for
Project Labor Agreement Compliance
For
Peralta Community College District**

Submitted By



LABOR MANAGEMENT CONSULTANTS

DAVILLIER-SLOAN, INC.

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Executive Summary Of Services Proposed

DSI proposes to provide the following services to assure the efficient operation and administration of the Peralta Community College District (District) Project Labor Agreement (PLA), which is hereby incorporated by reference.

DSI firmly believes that the District's Project Labor Agreement can serve as a catalyst for not only stimulating local employment but also serve as a vehicle for maintaining sound and cooperative labor relations and to ensuring project labor stability. To this end, DSI anticipates providing the following services in support of this objective.

DATA COLLECTION AND MANAGEMENT

1. Certified payrolls will be used to monitor compliance with the goals for local hiring contained in the PLA. As certified payrolls are received, they will be reviewed to determine if the required data and fields are completed. If DSI discovers missing or incomplete information, the contractor will be notified in writing to correct the problem. Once the payrolls are deemed acceptable, they will be logged into a local hire database, reviewed and reports will be generated on a weekly basis, monthly or as needed basis.
2. All apprentices listed on the certified payroll reports will be verified to ensure that they are registered and approved by the State of California Division of Apprenticeship Standards. The status of each state approved apprentice will be maintained in the system for the accuracy of the local hire reports.
3. On a monthly basis, DSI will perform a detailed audit to ensure that the contractors have submitted all certified payroll reports and required PLA forms. Notices requesting missing documents will be distributed to the affected contractors.
4. The reporting system will be updated with new project, contractor and worker information, as received. As directed and needed, DSI will modify and develop new local hire reports.
5. DSI will collect the Letter of Assent (LOA) from all contractors performing work on the projects. The LOA will be tracked in the system and monthly reports will be generated and provided to the appropriate persons. If a contractor has not submitted the signed LOA, the District will be advised to withhold payments as appropriate.

WORKFORCE DEVELOPMENT AND COMPLIANCE ENFORCEMENT

1. DSI will conduct project site visits, as needed, to confer with contractors about the ratio of projected local hiring status and to compare what is on site with what is submitted in certified payrolls.
2. DSI will work with participating contractors involved in project work who may be having local hire problems to secure local residents and local apprentices. The cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont will be considered the local area for the District. In this regard, DSI will coordinate with the relevant craft union and apprenticeship program to secure the worker dispatches.
3. DSI will make participating contractors aware of the community-based organizations that are involved in pre-apprenticeship training and the provision of supportive services as potential hiring resources. Local community organizations that can provide contractor assistance may include, but not limited to, the Cypress Mandela/Women in Skilled Trades Pre-Apprenticeship Program, Youth Employment Partnership, Men of Valor Program, TradesWomen, Inc. and the Allen J Temple Alfred Smith Training Center.
4. DSI will work closely with the unions and the District construction training related programs to make staff and students aware of opportunities and requirements for careers in construction.
5. DSI will work closely with the unions to use District students and graduates as a first source for recruiting and indenturing new apprentices.
6. When there is apparent non-compliance, DSI will request a meeting with the contractor(s) in apparent non-compliance to discuss issues and agree on a resolution plan to increase local hiring either on District and non-District projects for local hiring.
7. Contractors who ignore meeting requests and or do not meet the resolution plan will either be referred to the Social Justice Committee, to the District or directly to arbitration.

LABOR RELATIONS ACTIVITIES

1. DSI will coordinate with the participating contractors for the scheduling of pre-job meetings prior to the initiation of project activity. The pre-job meetings will serve as the venue for which contractors will be further acquainted with the provisions of the PLA and in which union work jurisdictional claims will be made and potentially resolved. Additionally, the contractor will have the opportunity to interact with crafts about the dispatch of skilled workers to his particular project.
2. DSI will work with the District and various unions to process grievances through the PLA's established and standardized dispute resolution procedures. Craft jurisdiction remains a key interest of labor

- but disputes can be resolved away from the construction projects, thereby insuring no work disruptions.
3. DSI will work with the unions to ensure the dispatch of skilled workers needed to ensure sound and on time construction of District's projects.
 4. DSI will work closely with non-union contractors working under the PLA to ensure that those contractors will be able to use both their "core" employees and to integrate skilled union members into their work crews.

DISTRICT RELATIONS/MEETINGS

1. DSI will attend the pre bid meetings for all PLA covered projects and explain the PLA provisions for contractors in attendance.
2. DSI will regularly attend District Project Manager meetings, as needed or directed.
3. DSI will participate in District's Construction training programs and Advisory Committees, as requested or directed.
4. DSI will schedule, chair and record minutes of all meetings scheduled to address issues related to local hiring.
5. DSI will attend progress meetings with District, as requested or required.

REPORTING

1. DSI will make weekly, monthly and as needed reports on the progress of local hiring to the District project manager and the contractor project manager or superintendent.
2. DSI will provide monthly and special reports as requested on local hiring, social justice and related issues to District management.
3. DSI will provide payment verification letter compliance with submitting the LOA, as requested or needed.
4. DSI will, as requested, make special reports to the District's Board and Bond Oversight Committee on the overall progress and status of the PLA.

Statement of Qualifications

DSI has extensive experience in negotiating and administering Project Labor Agreements (PLAs) and with related Labor Compliance Programs (LCPs). In addition to the traditional PLA components, such as prohibition of strikes, work stoppages and lockouts, DSI's particular area of expertise is negotiating and administering PLAs that contain provisions for maximizing the hiring of local workers and the utilization of local area businesses. For more than 10 years, DSI has been at the cutting edge in working independently or on teams to negotiate and manage innovative PLAs that maximize community benefits: The services have included but not been limited to:

- Full service negotiations representing public agencies for major programs and projects
- Presenting PLA requirements at pre-bid, pre-construction, and pre-job meetings
- Monitoring and reporting on compliance with any local hiring program goals
- Dispute Resolution
- Establishing and chairing related working committees
- Establishing and administering related Trust Funds, as applicable

For all of these PLAs (see project descriptions below), DSI has had either full management responsibility or responsibility for managing the local hiring components. For all, DSI has had full responsibility for data collection and management for assuring compliance with local hiring goals.

As an example of DSI data collection and management approach, over the last few years, DSI has worked with West Contra Costa Unified School District to increase local hiring and local business participation. DSI has put in place electronic systems and databases to facilitate efficient tracking of certified payroll report and Labor Compliance Program related documents. The database generates a variety of reports based on our clients needs. For example, a local hiring report is submitted on a weekly basis to the general contractor and district's program manager detailing which projects are in

compliance with the local hiring goals. In order to help the contractor achieve the District's goals, DSI has developed a database of local workers and business available, capable and willing to perform work on the district projects.

As an organization or as individual staff and consultants, DSI has more the 30 years experience in working with the Alameda, Contra Costa and San Francisco Building Trades Councils and their affiliates.

Project Assignments:

- Jake Sloan, Principal in Charge
- Gene Johnson, Project Manager
- Maribel Alejandre, Analyst
- Shanika Ratcliff, Analyst
- Bradford Coupe, Outside Legal Counsel
- Ed Manning, Outside Labor Consultant

References and Past Projects

OAKLAND UNIFIED SCHOOL DISTRICT – MODERNIZATION PROGRAM

DSI is the administrator for the Oakland Unified School District Project Labor Agreement (PLA), covering more than \$500 million in school modernization projects. This is an innovative PLA that includes a Social Justice Program focused on the hiring of local residents. DSI is responsible for managing the Social Justice Program and assisting the District in monitoring prevailing wages on an as needed basis. Monitoring the utilization of local resident apprentices is an important element of the program.

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PORT OF OAKLAND – MARITIME AND AVIATION PROJECT LABOR AGREEMENT

In association with Parsons Constructors Inc., DSI negotiated and is administering a PLA for the Port of Oakland, covering over \$1 billion in construction for more than 180 projects. This is an innovative PLA that includes a Social Justice Program focused on the hiring of local area residents. DSI is responsible for managing the Social Justice Program and assisting the Port in monitoring prevailing wages on an as needed basis. Monitoring the utilization of local resident apprentices is an important element of the program. DSI co-chairs a Trust Fund established to provide financial support for local area pre-apprenticeship and related programs.

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SAN DIEGO COUNTY WATER AUTHORITY – OLIVENHEIM DAM PROJECT

As a sub-consultant to Parsons Constructors Inc., DSI negotiated and administered a PLA for the San Diego County Water Authority's \$1 billion Olivenheim Dam project. DSI was responsible for managing a local hiring program and periodically monitoring prevailing manages on an as needed basis.

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