



CONTRACT MONITORING DIVISION OFFICE OF THE CITY ADMINISTRATOR



LBEAC May 30, 2018 Meeting Minutes

1. Call to Order

Chair Galarza called the meeting to order at 10:00 a.m.

Committee Members present: Matthew Ajiake, Juliana Choy-Sommer, Boris Delepine, Elahe Enssani, Miguel Galarza, Bruce Giron, Alan Guy, Virginia Harmon, Wayne Perry, Ruben Santana

Committee Members Absent: Emylene Aspilla, Darolyn Davis, Alaric Degrafinried, Dwayne Jones, Iris Martin-Lopez

Staff Present: CMD: Romulus Asenloo, Regina Chan, Stephanie Tang, Antonio Tom, Diane Mai-Tran, Nichole Truax

Public Present: Jamal Oakley, Merriweather Williams

2. Update, Discussion, and Recommendations on the Citywide Project Labor Agreement Ordinance

- a. The Committee discussed the draft of the proposed Citywide Project Labor Agreement Ordinance and voted on the following recommendations.
- b. The Committee recommends that there should be no increase or decrease to the threshold amount unless there is a compelling justification for said increase/decrease that is supported by an independent party. The study will examine any potential discriminatory impacts as well as the effects on the Local Hire and Local Business Enterprise Programs due to the PLA.
 - i. Boris Delepine, seconded by Bruce Giron, moved to approve the recommendation. The motion carried by the following vote:
Ayes: Choy-Sommer, Delepine, Enssani, Galarza, Giron, Guy, Harmon, Perry, Santana
- c. The Committee recommends that the implementation dates referenced in the legislation be deleted because the dates as stated do not feasibly allow for implementation.
 - i. Wayne Perry, seconded by Ruben Santana, moved to approve the recommendation. The motion carried by the following vote:
Ayes: Choy-Sommer, Delepine, Enssani, Galarza, Giron, Guy, Harmon, Perry, Santana
- d. The Committee recommends that in the interest of increasing bid competition, the Department Head/Awarding Department must rebid the project without the PLA where the submitted bids are 25% over the estimated cost of the project.
 - i. Ruben Santana, seconded by Bruce Giron, moved to approve the recommendation. The motion carried by the following vote:
Ayes: Ajiake, Choy-Sommer, Delepine, Enssani, Galarza, Giron, Guy, Harmon, Perry, Santana

- e. The Committee recommends that any subcontractor with a subcontract valued at less than one million dollars not be bound by the PLA.
 - i. Ruben Santana, seconded by Matthew Ajiake, moved to approve the recommendation. The motion carried by the following vote:
Ayes: Ajiake, Choy-Sommer, Delepine, Enssani, Galarza, Giron, Guy, Harmon, Perry, Santana

- f. The Committee recommends that there be no reference to the Contractor's active payroll in the definition of "Core Employee" and to allow up to 75% of the contractor's workforce to be made up of core employees, with "Core Employee" defined as "an employee of a Contractor that has not previously had a relationship with the Unions that demonstrates the following qualifications: (1) possesses any license required by state or federal law for the Project work to be performed; (2) has worked a total of at least 1,000 hours in the construction craft during the prior three years; and (3) has the ability to perform safely the basic functions of the applicable trade." The Committee proposes the following for Section 6.27(e)(4): "Contractors and Subcontractors to whom construction services are awarded for a Covered Project will use the hiring halls operated by signatory Unions for all labor on the Covered Project except for (A) the services provided by non-craft managerial, executive, and clerical employees,; (B) and supervisory employees above the level of general foreman; or (C) the services provided by Core Employees where 75% or less of the Project workforce is made up of Core Employees."
 - i. Matthew Ajiake, seconded by Ruben Santana, moved to approve the recommendation. The motion carried by the following vote:
Ayes: Ajiake, Choy-Sommer, Delepine, Enssani, Galarza, Giron, Guy, Harmon, Perry, Santana

- g. To increase opportunities, the Committee recommends replacing the limiting language of Section 6.27(e)(5) with the following: "Contractors and Subcontractors will hire apprentices indentured in any State-approved apprenticeship program for the applicable craft or trade for work on the Covered Project in accordance with the apprentice ratios contained in California Labor Code Section 1777.5, as it may be amended from time to time;"
 - i. Wayne Perry, seconded by Ruben Santana, moved to approve the recommendation. The motion carried by the following vote:
Ayes: Ajiake, Choy-Sommer, Delepine, Enssani, Galarza, Giron, Guy, Harmon, Perry, Santana

- h. The Committee recommends that Chapter 12B be included in the list of Administrative Code Chapters: "Unions, Contractors, and Subcontractors are bound by the requirements of Administrative Code Chapters 6, 12B, 14B, 82, and 83, as they may be amended from time to time, including but not limited to the provisions addressing Local Hire and Local Business Enterprise;"
 - i. Matthew Ajiake, seconded by Bruce Giron, moved to approve the recommendation. The motion carried by the following vote:
Ayes: Ajiake, Choy-Sommer, Delepine, Enssani, Galarza, Giron, Guy, Harmon, Perry, Santana

3. Adjournment

The Committee adjourned at 11:20 p.m.