

Dear San Jose City Councilmembers:

On October 3, union officials will ask you to impose a Project Labor Agreement mandate on construction companies working on city contracts.

For good reason, you will NOT hear from union officials about the recent "Project Labor Agreement Pilot Project" at the West Valley-Mission Community College District. Estimated at **\$11,500,000** when the contract was advertised for bid, the winning bid came in at **\$18,661,000**. The final cost of the project with change orders was **\$20,527,100** - almost double the estimate.

The independent evaluation of the pilot project could not identify any benefits purported by the unions, and the college does not plan to mandate any additional Project Labor Agreements. In fact, it is clear that the Project Labor Agreement was a political scheme pushed by one board member, Chris Stampolis, who subsequently was elected to the Santa Clara Unified School District board and began pushing on behalf of unions for Project Labor Agreements there.

Below is a timeline of the Pilot Project, from 2012 proposal to 2017 final report, prepared by the Coalition for Fair Employment in Construction for the benefit of your policy deliberations.

See 21 background documents (totaling 52 pages) cited in the 2012-2017 timeline here:

[West Valley-Mission Community College District Project Labor Agreement Timeline 2012-2017](#)

The December 2012 Project Labor Agreement report from the Chancellor can be found here:

[West Valley-Mission College District Vice Chancellor Project Labor Agreement Report 2012](#)

The August 2017 final independent evaluation of the pilot project can be found here:

[West Valley-Mission Community College District Project Labor Agreement Pilot Project Evaluation 2017](#)

The 2013 Project Labor Agreement itself, with all of its failed promises, can be found here:

[West Valley-Mission Community College District Project Labor Agreement 2013](#)

#### **TIMELINE FOR PROJECT LABOR AGREEMENT PILOT PROJECT AT WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT - 2012-2017**

**May 12, 2012** - The head of the Santa Clara & San Benito Building and Construction Trades Council makes a scheduled formal presentation to the board about Project Labor Agreements.

**October 2, 2012** - During this board meeting, board member Chris Stampolis asks the Chancellor's office to schedule a Project Labor Agreement discussion.

**October 16, 2012** - Board member Chris Stampolis demands a revision to the October 2, 2012 minutes indicating he wanted a Project Labor Agreement discussion at an *October* meeting, not an *upcoming* meeting. The board approved the revision.

**November 13, 2012** - The board provides to the Chancellor "direction for Project Labor Agreements to increase local contractor utilization for the District's capital outlay program." Evidently perplexed by this boilerplate argument for Project Labor Agreements, the Chancellor reports that 90 of the 102 contractors on the college's pre-qualification contractor list are local.

**December 11, 2012** - Now a "former board member," Chris Stampolis urges the board to approve a Project Labor Agreement. The Chancellor provides a report to the board about Project Labor Agreements. The board votes to direct district staff to negotiate a Project Labor Agreement. Negotiations then continue over the next several months.

**June 12, 2013** - A member of the Citizens Bond Oversight Committee objects to the district's decision to negotiate a Project Labor Agreement for the Applied Arts and Sciences Building Renovation Project.

**August 20, 2013** - The board votes 5-2 to require construction contractors to sign a Project Labor Agreement with union in order to work on an upcoming "pilot project" to evaluate its performance on the Applied Arts and Sciences Building Renovation Project.

**November 13, 2013** - College administrators update the Citizens Bond Oversight Committee on the Project Labor Agreement with unions.

**May 22, 2014** - Bid deadline for Applied Arts and Sciences Building construction contract, with engineer's estimate set at **\$11,500,000**.

**June 17, 2014** - The Board of Trustees approved the lowest responsive and responsible bid for the West Valley College Applied Arts and Sciences Renovation Project in the amount of **\$18,661,000**. Staff reports that "The budget for this project will be increased to cover escalation reflected on bids recently received for the project. The amount to be transferred is \$6,079,825." West Valley College President Brad Davis expresses disappointment with the cost increase.

**September 14, 2016** - Citizens Bond Oversight Committee members ask college administrators if the district will require contractors to sign a Project Labor Agreement in order to work on the Mission College Wellness Center Project. The Vice Chancellor of Administrative Services reports that "a PLA was utilized for the Applied Arts and Sciences Building at West Valley College. That project is now complete and there are currently no plans to utilize a PLA for future projects." It was noted by the Director of Facilities that "at least 80% of contractors used by the District are union." The Chancellor told the committee that Project Labor Agreements "are no longer an issue because most unions are back at work due to the upswing in the economy and most projects are paying higher than union wages."

**July 11, 2017** - The Board of Trustees authorizes a Notice of Completion for the Applied Arts and Sciences Building at West Valley College at a final cost of **\$20,527,100**.

**August 1, 2017** - The Vice Chancellor presents a report prepared by a private consultant to the Board of Trustees evaluating the performance of the Project Labor Agreement. The report concluded that "no conclusive evidence that PLA had adverse or favorable impact on observable metrics for this Project"

and "stakeholder opinions regarding the PLA, its impact, and efficacy appear to be pre-established with little or no empirical basis."

Please contact me at [REDACTED] or at [REDACTED] to discuss the failures of this Project Labor Agreement pilot project or any other public works project with a government-mandated Project Labor Agreement.

Eric Christen  
Executive Director  
Coalition for Fair Employment in Construction

**From:** ericchristen [REDACTED]  
**Sent:** Wednesday, October 4, 2017 3:43 PM  
**To:** The Office of Mayor Sam Liccardo; District1; District2; District3; District4; District5; District 6; District7; District8; District9; District 10  
**Cc:** City Clerk; Webmaster Manager; rscheinin@bayareanewsgroup.com; 'Barbara Marshman'  
**Subject:** More Project Labor Agreement Failures for Consideration as You Vote on a City-Wide PLA



Every week we become aware of the latest debacles to befall an entity foolish enough to use a Project Labor Agreement (PLA). This week there are FOUR that have come to light.

### **City of Stockton**

*1 bidder, 27% over estimate* for building interior renovations.

City staff recommendation to reject PLA: [Legislation Text](#)

Proof of PLA: [http://www.stocktongov.com/bfDocs/PUR-16-020\\_1st%20and%207th%20floor%20REQUEST%20FOR%20SEALED%20BID%20PUR-B.pdf](http://www.stocktongov.com/bfDocs/PUR-16-020_1st%20and%207th%20floor%20REQUEST%20FOR%20SEALED%20BID%20PUR-B.pdf)

### **City of San Leandro**

*1 bidder. More than 50% over estimate.*

Bid

result: <https://sanleandro.legistar.com/LegislationDetail.aspx?ID=3150775&GUID=9A3A3AED-BEA1-43EA-80FA-E3A482FC5FAF&Options=&Search=>

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Proof of PLA: <https://www.sanleandro.org/civicax/filebank/blobdload.aspx?BlobID=27138>

### **49ers Football Stadium**

President of the Black Chamber of Commerce blasts the failures that occurred under the PLA on the new Levi's Stadium that was built for the San Francisco 49ers. Deaths and a failure to employ significant numbers of minority contractors and employees are among the failures cited.

### **Rancho Santiago Community College**

A Rancho Santiago Community College \$27 million student center, closed five years because of building violations, might now become one of the largest homeless shelters in Orange County. Because unfit construction that took place under a PLA might not be good enough for students but it's apparently O.K. for homeless people.

**From:** Responsible Development San Jose < >  
**Sent:** Monday, October 16, 2017 11:52 AM  
**To:** City Clerk  
**Subject:** Specific Time Request for Item 3.3 - 10/24 City Council Meeting

Hello,

I am writing to request that Item 3.3 (CWA/PLA Task Force Committee Recommendations) on the October 24th Agenda be time specific for 4pm (or after) so that construction workers impacted by this discussion at city council can attend and offer public comment.

Much appreciated,

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Martha B. Valadez, Campaign Coordinator  
Responsible Development San Jose