



DATE: AUGUST 29, 2017

FROM: EXECUTIVE OFFICE

**SUBJECT: RESOLUTION NO. _____
APPROVAL OF CITY OF LOS ANGELES HARBOR DEPARTMENT
CONSTRUCTION CAREERS POLICY**

SUMMARY:

The City of Los Angeles Harbor Department (Harbor Department) has negotiated a ten-year Port-wide Project Labor Agreement (POLA-PLA) with the building trade unions affiliated with the Los Angeles/Orange Counties Building and Construction Trade Council (Building Trades). The POLA-PLA will serve as a blanket agreement between the Harbor Department and the Building Trades hired to work on selected Capital Improvement Program (CIP) projects for a term of ten years. The POLA-PLA seeks to address unemployment and underemployment in concentrated poverty neighborhoods, particularly near the Port of Los Angeles (POLA), and seeks to advance the skills of the local labor pool. To this end, the POLA-PLA requires a hiring minimum of local resident workers and transitional workers.

To ensure the POLA-PLA is properly implemented, staff recommends the approval of the revised Harbor Department Construction Careers Policy (Policy). A Policy was previously approved by the Board of Harbor Commissioners (Board) along with the 5-year POLA-PLA, but was modified to meet the current requirements reflected in the new 10-year POLA-PLA. The Policy determines stakeholder roles and responsibilities. It also includes an enforcement section that assesses Liquidated Damage on the Prime Contractor for non-compliance with the POLA-PLA requirements.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 2(f), of the Los Angeles City CEQA Guidelines;

DATE: AUGUST 29, 2017

PAGE 2 OF 3

**SUBJECT: APPROVAL OF CITY OF LOS ANGELES HARBOR DEPARTMENT
CONSTRUCTION CAREERS POLICY**

2. Approve Resolution No. _____ adopting the Harbor Department Construction Careers Policy; and
3. Adopt Resolution No. _____.

DISCUSSION:

Background / Context – The purpose of the Policy is to determine the stakeholders' roles and responsibilities on construction projects covered under the ten year POLA-PLA to promote efficiency of construction operations and provide for orderly settlement of labor disputes and grievance without strikes or lockouts, thereby promoting the public interest in assuring the timely and economical completion of the project, and elimination of construction labor-related disruptions to Port operations.

On March 17, 2011, the Board approved the previous five year POLA-PLA agreement and accompanying Construction Careers Policy, and on May 11, 2011 the Council adopted the PLA under Agreement No. 11-2955. The creation of the five year POLA-PLA increased efficiency by eliminating the need to negotiate and approve separate project labor agreements at the onset of each applicable project. The proposed Policy, together with the ten year POLA-PLA will perform the same function, but will further increase efficiency by increasing the duration to ten years.

The Harbor Department has been working with staff from the Department of Public Works (Public Works) and the City Attorney to negotiate the POLA-PLA and associated Construction Careers Policy. The negotiating team reached a tentative agreement with the Building Trades on May 11, 2017 resulting in modifications to the Policy being presented herein for approval (Transmittal 1).

Harbor Department Construction Careers Policy- The Harbor Department Construction Careers Policy (Transmittal 1) determines stakeholder roles and responsibilities as they apply to the POLA-PLA. The Policy requires that the Harbor Department actively monitor and report on the targeted hiring progress for each Project. This monthly report includes the number of Local Residents, Transitional Workers, and apprentices hired for each Project under the POLA-PLA.

In line with the Policy, the POLA-PLA requires Building Trades to actively recruit, develop and hire local workers that reside within the Tier 1 and Tier 2 zip codes. As a measure of enforcement, Liquidated Damages may be assessed for non-compliance with the POLA-PLA. Currently, the Harbor Department utilizes the assistance of the Department of Public Works Bureau of Contract Administration (BCA) for PLA administration as deemed necessary by Harbor Department staff.

DATE: AUGUST 29, 2017

PAGE 3 OF 3

SUBJECT: APPROVAL OF CITY OF LOS ANGELES HARBOR DEPARTMENT
CONSTRUCTION CAREERS POLICY

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of the Policy. As an administrative activity, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

Currently, Harbor Department Construction Division staff (Staff) works with the BCA to administer the Policy, together with the Port-wide Project Labor Agreement. Staff salary and the BCA administration costs to implement the Policy will be covered under the administration cost for the POLA-PLA.

CITY ATTORNEY:

The Office of the City Attorney Harbor Department reviewed the Policy Document.

TRANSMITTAL:

1. Construction Careers Policy

FIS Approval: MB (initials)

CA Approval: Jac (initials)


ANTONIO V. GIOIELLO, P.E
Deputy Executive Director

APPROVED:

 FOR

EUGENE D. SEROKA
Executive Director

Author: Marlys White
MW:lh
POLACCPB01