



Fort Worth District Corps of Engineers Soliciting Comments on the Potential Use of Project Labor Agreements (PLAs) at White Sands Missile Range, NM

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Synopsis:

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

-Southwest Region (AR, AZ, CA, LA, NM, NV, OK, & TX) Barracks Primarily Fort Bliss Multiple Award Task Order Contract (MATOC) Initial Task Order:

Unaccompanied Enlisted Personnel Housing (UEPH) White Sands Missile Range, NM

A PLA is defined as a prehire 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 PLAs be executed on selected large dollar contracts within the above referenced location by the Fort Worth District? What other factors should the Corps consider before deciding to include PLA provisions in a Fort Worth District contract? What type of project should or should not be considered for PLA?

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

c. Is the use of PLAs effective in producing labor-management stability? Have labor disputes or other labor issues contributed to project delays in the local area?

d. Is the use of PLAs conducive to ensuring compliance with laws and regulations governing safety and health, equal employment opportunity, labor and employment standards, and other relevant matters? 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. Projects will require multiple construction contractors and/or subcontractors employing workers in multiple crafts or trades. Do you foresee any work on projects 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? Information may reference current apprenticeship statistics and workforce age demographics.

g. Completion of anticipated projects will require an extensive performance periods. Will a PLA impact the completion time? What is the anticipated volatility in the labor market for the trades required for the execution of the project? 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 cody.d.cotten@usace.army.mil no later than 3 February 2011.

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Opportunity History

■ **Original Synopsis**

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