



Resolution 22

Supporting the Creation of Quality Jobs through Habitat Restoration, Flood Protection and Public Access Projects

Whereas, the San Francisco Bay Restoration Authority (Authority) is a regional government agency charged with raising and allocating resources for the restoration, enhancement, protection and enjoyment of wetlands and wildlife habitat in the San Francisco Bay and along its shoreline, as well as related public recreational amenities and flood management features; and

Whereas, in June of 2016 voters in the nine county San Francisco Bay Area approved Measure AA which will generate approximately \$500 million in new local revenue to restore wildlife habitat, help improve our region's resilience to climate change by protecting communities, businesses, roads, wastewater treatment plants and other vital infrastructure from flooding due to extreme weather events, increase shoreline public access and more; and this local funding could be used to leverage an equal or greater amount of state, federal and other resources to support Bay restoration projects; and

Whereas, by generating local funds, and potentially other state and federal funds, for Bay restoration, the Authority has the ability not just to restore wildlife habitat, protect communities from flooding and improve public access, but also to create quality jobs for the local workforce that support our mission; and

Whereas, it is in the interest of the Authority and the public it serves to build safe, high-quality projects with a properly trained workforce; and

Whereas, the Authority has the responsibility to promote and oversee efficient project delivery and to monitor the efficient use of public funds, and the timely and successful completion of Authority-funded projects is of the utmost importance to the Authority and the general public; and

Whereas, it is in the interest of the Authority and the public it serves that Authority-funded construction projects proceed without labor disruptions that can cause delay; and to create an effective and efficient mechanism to minimize the possibility of any such disruptions, thereby promoting cost containment and timely completion of projects;

Whereas, the use of project labor agreements will effectuate the Authority's intent to complete Authority-funded construction projects consistent with the goals and purposes set forth above;

NOW, THEREFORE, BE IT RESOLVED that the Authority shall require all grantees of Authority funds to negotiate, enter into and execute a standard project labor agreement with the local Building Trades Council(s) for the applicable county(ies) that covers all work within the craft jurisdictions of the Unions (e.g. construction, remediation, demolition, alteration, installation, improvement, repair, etc.) for any

construction project where (a) the total cost of the project exceeds \$500,000, and (b) the Authority’s funding of the project exceeds ten percent (10%) of the total cost of the project.

BE IT FURTHER RESOLVED that such project labor agreement shall provide that (a) All contractors and subcontractors shall recognize the affiliated Unions as the exclusive bargaining representatives of the craft workers employed on the project; (b) All contractors and subcontractors shall use the Union hiring halls for satisfying all project craft needs on the project; (c) The wages, benefits and working conditions of the craft employees performing work on the project shall be governed by the Master Labor Agreements of the Union(s) recognized as the bargaining representative(s) of the applicable craft(s); (d) All contractors and subcontractors shall hire apprentices indentured in the State-approved joint apprenticeship training program(s) for the applicable craft(s) or trade(s) for work on the project in accordance with the apprentice ratios contained in California Labor Code Section 1777.5; (e) The “Helmets to Hardhats” Program shall be used to assist returning Veterans in obtaining employment and training opportunities on the project; and (f) There shall be no strikes or lockouts on the project and a dispute resolution mechanism shall govern any conflicts.

BE IT FURTHER RESOLVED that this Resolution and its provisions shall not apply to a grantee of Authority funds when the grantee’s project is funded by, sponsored by, or otherwise undertaken in collaboration with, the U.S. Army Corps of Engineers.

BE IT FURTHER RESOLVED that if after the Authority has exerted all reasonable efforts to secure a project labor agreement for the project without success, has met with, considered, and addressed to the fullest extent feasible, the interests of the applicable Building Trades Council(s), and has made other such efforts as are consistent with carrying out the goals of this policy, and the Governing Board of the Authority finds application of this policy would preclude Authority funding for a project, then the Governing Board of the Authority may determine that this policy shall not apply to the particular project at issue.

PASSED AND ADOPTED by the Governing Board of the San Francisco Bay Restoration Authority at its meeting on November 30, 2016, by the following vote:

AYES: Governing Board Members _____

NOES: Governing Board Members _____

ABSENT: Governing Board Members _____

ABSTENTIONS: Governing Board Members _____

Dave Pine
Chair

I, Kelly Malinowski, Clerk of the Governing Board of the San Francisco Bay Restoration Authority, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the Governing Board of the San Francisco Bay Restoration Authority at its meeting of November 30, 2016, which Resolution is on file in the office of this regional government entity.

Kelly Malinowski
Clerk of the Governing Board