

Legislation Text

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Clerk 06/23/2005

AN ORDINANCE authorizing and adopting a project labor agreement for the construction of the Brightwater treatment plant as negotiated between and agreed to by the King County department of natural resources and parks, the Northwest Washington Building and Construction Trades Council, the Washington State Building and Construction Trades Council and Hoffman Construction.

STATEMENT OF FACTS:

1. The Brightwater project includes a wastewater treatment plant and conveyance facilities to transport untreated wastewater to the Brightwater treatment plant and discharge treated wastewater to Puget Sound.
2. The Brightwater treatment plant will provide capacity in 2010 to treat thirty-six million gallons per day ("mgd") of average wet weather flow ("AWWF") to secondary effluent standards using a combination of chemically enhanced primary clarification and membrane bioreactors. The treatment plant will have the capability to expand to treat fifty-four mgd AWWF in the future. The treatment plant will produce Class B biosolids for application to forest and agriculture lands and will also produce highly treated reclaimed water (non-drinking) for use as process water and irrigation.
3. Constructing the Brightwater treatment plant will require a continuous supply of qualified workers between 2006 and 2010.
4. The King County executive proposes the use of a project labor agreement ("PLA") to help

ensure timely construction of the Brightwater treatment plant.

5. Washington State Executive Order 96-08 states that project labor agreements are of "great potential economic benefit for appropriate and time sensitive major construction projects which will extend for a substantial period of time, involve a substantial number of contractors, subcontractors and trades and craft workers, and have a substantial dollar value."

6. The King County labor policy committee developed labor policies specific to PLAs, including labor policy 2002-022, which encourages the county to explore use of a PLA for projects "that have a complex scope, a multi-year schedule, a budget of significant size, and/or a clear public benefit."

7. The King County executive explored the use of a PLA to construct the Brightwater project, Attachment A to this ordinance and found that the Brightwater project meets the criteria regarding use of a PLA outlined in Washington State Executive Order 96-08 and King County Labor Policy 2002-022.

8. The terms for a PLA for the Brightwater treatment plant were negotiated between and agreed to by the King County department of natural resources and parks, the Northwest Washington Building and Construction Trades Council and the Washington State Building and Construction Trades Council.

9. The aforementioned parties agreed on a set of terms outlined in a project labor agreement for the Brightwater treatment plant on April 21, 2005, Attachment B to this ordinance. This agreement establishes uniform terms and conditions of employment for all employees for the duration of the project, establishes realistic goals to ensure labor diversity and apprenticeship opportunities and will help to ensure labor harmony between trades and union and nonunion laborers. The agreement will also increase opportunities for apprenticeships for minorities and women, promote public interest by preventing labor disruptions, such as strikes, lockouts or

slowdowns, which could adversely affect the completion of the project.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County council approves Attachment B to this ordinance, Project Labor Agreement for the Brightwater Treatment Plant, as negotiated between and agreed to by the King County department of natural resources and parks, the Northwest Washington Building and Construction Trades Council and the Washington State Building and Construction Trades Council.

SECTION 2. Terms and conditions of said agreement shall be effective from the date this ordinance is adopted by the King County council and terminate after all phases of construction of the Brightwater treatment plant are complete and King County assumes ownership of the Brightwater treatment plant.

SECTION 3. The Brightwater project shall reimburse a nonunion small economically disadvantaged business ("SEDB") for benefits, but only if: the SEDB provides benefits that are duplicative of those in the union benefit plan; the SEDB provides copies of the benefit program and proof of payment and the amount of premiums; and the SEDB has completed its contracted work. For the purposes of this section, an "SEDB" means a business owned and controlled by a person or persons who are in a financial condition which puts the business at a substantial disadvantage in attempting to compete for public contracts. Specific eligibility criteria for SEDBs shall

be established by the executive. The total amount of the reimbursement on the Brightwater project shall be capped at one million dollars.