

Policy Area	Description	Potential Benefits	Potential Concerns
<b>Lower threshold amount</b>	Lowering the threshold amount would increase the number of projects required to use a Project Labor Agreement. <i>(For reference: list of past County construction projects and costs)</i>	Advocates for PLAs contend that increasing the number of projects with PLAs would expand the number of opportunities that can be offered to youth, historically disadvantaged portions of the community, women, and local area residents. <i>(For reference: staff is preparing data on construction sector owner and employee demographics along with apprenticeship/pre-apprenticeship program demographics).</i> Other arguments made by those in favor of PLAs include that use of union labor increases the quality of work, and the likelihood that projects will be completed on-time, and on-budget.	Those in opposition to PLAs contend that they increase costs and exclude non-union labor. PLA opponents also have concerns that PLAs limit the bidding pool and decrease competition. <i>(For reference: staff has not identified definitive neutral data on whether or not PLAs increase project costs. Staff are currently revisiting estimated PLA associated costs with the Behavioral Health PLA project.)</i>
<b>Include Airport, Water Agency, and Fairgrounds in PLA requirements</b>	Previously Airport and Water Agency projects were exempted from the PLA policy. <i>(For reference: list of past Water Agency construction projects and costs)</i>	Advocates for PLAs contend that increasing the number of projects with PLAs would expand the number of opportunities that can be offered to youth, historically disadvantaged portions of the community, women, and local area residents. Other arguments made by those in favor of PLAs include that use of union labor increases the quality of work, and the likelihood that projects will be completed on-time, and on-budget.	There may be some limitations on applying PLAs to projects with federal funding. Additionally, those in opposition to PLAs contend that they increase costs and exclude non-union labor. PLA opponents also have concerns that PLAs limit the bidding pool and decrease competition.
<b>Remove core workforce requirements/all referrals come from Union halls</b>	The County's current PLA policy allows each local contractor to initially use up to 3 core workers, then alternate between the Union Referral system and core workers up to 12 employees. Supervisors and managers do not count toward this limit.	Trades Council asserts that having all referrals go through Union halls maximize the ability to effectively and efficiently create opportunities to local youth, historically underserved populations or other targeted hires. Trades Council indicates that this is consistent with the most recent policies put into place in the North Bay and in the Bay Area at large across varying types of projects and awarding agencies.	Those in opposition to Union hall referral requirements contend that this discourages competition from qualified and local nonunion contractors' skilled employees. There are concerns that they would have to choose between not being able to use their own workers or having to require their employees to join a union or require them to pay union dues in order to work on a PLA project. Further, current case law has been interpreted by some counties (Venutra) to hold that elimination of the Core Workforce provisions would violate bidding laws and would make a PLA unenforceable.
<b>Electronic open source Certified Payroll platform</b>	In the County's current PLA policy the County agrees to provide the Trades Council or its designated representative with copies of certified payroll records submitted by the Contractors. The proposed change would require contractors to submit their Certified Payrolls electronically into an open source platform that would allow the Trades Council and public to extrapolate the data.	The Trades Council contends that this approach would allow them to extrapolate the data in a consistent and more accurate manner, as well as give them and the County the ability to return that data to the public. According to the Trades Council, an open source platform will also allow for the cross referencing of data from other PLA projects across the region that are being done by agencies outside the purview of the County, so as to understand how the PLA – on its own and in conjunction with others – is affecting diversity, equity and opportunity.	There would be costs associated with managing this data platform. <i>(For reference: According to the Water Agency, in 2013, it cost \$2,000 to develop their Labor Compliance Program. Their cost for labor compliance monitoring varies project to project, with estimates ranging from \$9,000 to \$25,000)</i>
<b>Change policy to allow projects to be bid with and without PLA</b>	The County's current PLA policy requires all construction projects that cost over \$10M to include a PLA. This proposal would remove this requirement and instead allow contractors to bid on projects with and without a PLA.	Advocates of this approach contend that allowing bidders to submit bids with or without the PLA would demonstrate potential cost increases associated with PLAs and confirm the most cost effective way to build the project	Potential concerns may be that this could lower the number of projects that include a PLA, resulting in loss of benefits that PLA advocates tout for PLA projects.
<b>Exclude emergency response work</b>	The PLA requirements would not apply to construction projects conducted as part of the County's disaster and emergency response work.	This provision would allow the County to move quickly to protect life, public health or safety and property when a disaster strikes. Requiring a PLA may slow down the a project that needs quick action.	This provision could reduce the number of PLA projects in the County, resulting in loss of benefits that PLA advocates tout for PLA projects.