



4.2-B

CONTINUED  
FROM 1-13-98  
TO 1-20-98

DEPARTMENT OF  
UTILITIES  
ENGINEERING SERVICES

CITY OF SACRAMENTO  
CALIFORNIA

5770 FREEPORT BLVD.  
SUITE 100  
SACRAMENTO, CA  
95822-2911

PH 916-433-6318  
FAX 916-433-6652

January 7, 1998

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: SUMP 2 IMPROVEMENTS PROJECT: (PN XM24): POTENTIAL UTILIZATION OF A PROJECT LABOR AGREEMENT FOR THE CONSTRUCTION CONTRACT**

**LOCATION AND COUNCIL DISTRICT:**

The project is located at Sump 2, 3500 Riverside Boulevard in District 4 (see attached map).

**RECOMMENDATION:**

Staff recommends that the City Council adopt the attached resolution which approves the proposed procedures regarding a Project Labor Agreement for the Sump 2 Improvements project.

**CONTACT PERSON:** Gary A. Reents, Engineering Services Manager, 433-6633  
Rick Batha, Senior Engineer, 433-6625

**FOR COUNCIL MEETING OF:** January 13, 1998

**SUMMARY**

Staff is proposing an addendum to the Sump 2 Improvements project specifications which will preserve the opportunity to implement a Project Labor Agreement (PLA) in the construction contract. If the PLA cannot be executed prior to bid award, staff recommends that the project proceed without the PLA.

**COMMITTEE/COMMISSION ACTION:**

None.



4.2-A

CONTINUED  
FROM 1-13-98  
TO 1-20-98

OFFICE OF THE  
CITY ATTORNEY

SAMUEL L. JACKSON  
CITY ATTORNEY

WILLIAM P. CARNAZZO  
ASSISTANT CITY ATTORNEY

CITY OF SACRAMENTO  
CALIFORNIA

January 7, 1998

980 NINTH STREET  
TENTH FLOOR  
SACRAMENTO, CA  
95814-2736

PH 916-264-5346  
FAX 916-264-7455

DEPUTY CITY ATTORNEYS  
RICHARD E. ARCHIBALD  
DIANE B. BALTER  
DENNIS M. BEATY  
BRUCE C. CLINE  
SHANA S. FABER  
H. MICHON JOHNSON  
GUSTAVO L. MARTINEZ  
JOHN A. NAGEL  
JOE ROBINSON  
ARNOLD D. SAMUEL  
ROBERT K. SANDMAN  
STEPHANIE K. SHIMAZU  
SANDRA G. TALBOTT  
ROBERT D. TOKUNAGA

Mayor and City Councilmembers  
Sacramento, California

Honorable Members in Session:

**SUBJECT:** Informational Report Concerning  
the Use of Project Labor Agreements

**LOCATION AND COUNCIL DISTRICT:** All districts.

**RECOMMENDATION:**

At the City Council meeting of December 16, 1997, the City Attorney was asked to report back on the status of the law concerning the use of Project Labor Agreements (PLAs) on public works construction contracts. A discussion of applicable State and Federal court decisions on this topic is provided below. It is recommended that the City Council receive and file this report. City staff will address policy issues associated with the use of PLAs and will seek direction on appropriate action.

**CONTACT PERSON:** Samuel L. Jackson, City Attorney (264-5346)  
William P. Carnazzo, Assistant City Attorney (264-5346)  
Joe Robinson, Deputy City Attorney (264-5346)

**FOR CITY COUNCIL MEETING OF:** January 13, 1998

**SUMMARY:**

A Project Labor Agreement (PLA) is an agreement between a public agency, the unions representing the trades that will be employed on a particular public works project and the contractors and subcontractors performing the project, generally requiring the contractors and subcontractors to comply with the provisions of the PLA in exchange for the unions' agreement not to engage in any job site actions during the course of project construction. The U.S. Supreme Court has held that a PLA requirement does not violate the provisions of the National Labor Relations Act. Two different California Courts of Appeal have issued