



Community Benefits Agreement

Training for Construction Managers, Project Managers,
and Resident Engineers

May 18, 2022

Please note that this training is being recorded through Microsoft Teams.



Agenda

Presenter Introductions

Community Benefits Agreement

Resources & Contact

Q & A

Presenters



Elaine Richardson
Director of Diversity & Equity
SANDAG



Erik Staples
Senior Administrative Analyst
SANDAG



Dan Sloan
Vice President, Labor Relations
Parsons Corporation

Community Benefits Agreement Timeline

Timeline	Event
April 9, 2021	Board of Directors adopted a Resolution that directed staff to consider a “Project Labor Agreement (CBA)”
July 23, 2021	Board of Directors authorized staff to begin a CBA negotiation with the San Diego County Building and Construction Trades Council
December 17, 2021	SANDAG Board approved for SANDAG to execute the CBA
May 19, 2022	CBA becomes effective on all applicable construction projects

A CBA is also referred to as a Project Labor Agreement and focuses on more workforce equity components that create economic benefits for the community.



Community Benefits Agreement (CBA) Basics

- Collectively bargained labor agreement between SANDAG and the San Diego County Building and Construction Trades Council
- Effective May 19, 2022
- Open to both union contractors and contractors who are not otherwise signatory to a union.
- All State and Federally approved apprenticeship programs

CBA Basics

(continued)

Workforce Opportunities for Rising Careers

- Disadvantaged Worker and Targeted Worker employment goals
- Robust system for recruitment, training, employment and retention of Disadvantaged and Targeted Workers
- Partnership with pre-apprenticeship training programs
- Helmets to Hardhats and Veteran hiring

CBA Basics

(continued)

- Additional flexibility for Disadvantaged Businesses regarding hiring and benefits contribution
- Supply of skilled and trained workers
- Project Labor Coordinator





CBA Basics

(continued)

- Employee wage and benefits standardization
- Labor harmony with no work disruptions or stoppages because of labor disputes
- Efficient labor dispute resolution and grievance procedures
- Program-wide drug and alcohol testing policy
- Management rights and safety
- Joint committees for labor/management cooperation



Covered Projects

- Covered Projects:
 - Construction project with an estimated contract award value of \$5 million or greater with a bid advertisement date for the prime contract on or after May 19, 2022
 - Job Order Contracts, individual job order valued at \$250,000 or greater and issued under a Master Job Order Contract with an award value of \$5 million or greater
 - Professional services agreements for covered inspection and/or surveying services with a RFQ or RFP date on or after May 19, 2022



CBA Scope of the Agreement

- All subcontracts flowing from prime contract for a Covered Project (except for CBA exclusions)
- Onsite construction craft labor
- Building/Construction Inspector and Field Soils Material Testers and Surveyors are a covered craft under the CBA

CBA Scope of the Agreement

Inspectors and Surveyors

- Prevailing wage – covered Building/Construction Inspectors and Field Soils Material Testers and Surveyors are a covered craft under the CBA (e.g., Inspection Categories – Group 1, Group 2, Group 3)
- This type of work is covered by the CBA pursuant to any professional services agreement, a contract entered into directly with SANDAG, or a contract with a Contractor (but not SANDAG employees)
- Here is an example of the types of special inspection covered by the California prevailing wage determination for Building/Construction Inspector and Field Soils Material Testers:

CLASSIFICATIONS:

GROUP 1

Field Soils and Material Tester
Field Asphaltic Concrete (Soils and Material Tester)
Field Earthwork (Grading Excavation and Filling)
Roof Inspector
Water Proofer

GROUP 2

AWS-CWI Welding Inspector
Building/Construction Inspector
Licensed Grading Inspector
Reinforcing Steel

GROUP 2 (CONT.)

Reinforced Concrete
Pre-Tension Concrete
Post-Tension Concrete
Structural Steel and Welding Inspector
Glue-Lam and Truss Joints
Truss-Type Joint Construction
Shear Wall and Floor Systems used as diaphragms
Concrete Batch Plant
Spray-Applied Fireproofing
Structural Masonry

GROUP 3

Nondestructive Testing (NDT)



CBA Exclusions

- Non-manual employees
- Most offsite work, including deliveries and hauling to and from the site
- Employees of SANDAG
- SANDAG consultants not engaged in Project Work
- Work performed by State, county, city, or other governmental bodies, or their contractors, or by private utilities, or their contractors
- Work performed by employees of a manufacturer or vendor on the manufacturer's or vendor's equipment to maintain a warranty or guarantee
- Specialized or technical work requiring specialized training, unique skills, or a level of specific technical experience

CBA Attachment A - Letter of Assent (LOA)

All contractors and subcontractors of any tier performing CBA-covered work are bound to the CBA and must sign and submit a LOA

Prime Contractors must sign the Letter of Assent prior to the execution of a Covered Contract

No Contractor shall commence work without first providing a copy of the signed Letter of Assent to the Project Labor Coordinator

Submission of signed Letter of Assent online via LCPTracker

ATTACHMENT A – LETTER OF ASSENT

To be signed by all Contractors awarded work covered by the Community Benefits Agreement prior to commencing work.

[CONTRACTOR'S LETTERHEAD]

DATE _____

Project Labor Coordinator
Address _____
Address _____
Address _____

Attention: _____

Re: SANDAG Community Benefits Agreement

To Whom It May Concern:

This is to confirm [Name of Company] agrees to be bound by the SANDAG Community Benefits Agreement ("CBA"), as such Agreement may from time to time be amended by the Parties or interpreted pursuant to its terms. Such obligation to be bound by the CBA shall extend to all work covered by the CBA undertaken by this Company on the Covered Project pursuant to [Insert SANDAG Contract No. _____ and Name of Covered Project], and this Company shall require all of its subcontractors of whatever tier to be similarly bound for all work within the scope of the CBA by signing and furnishing to you an identical Letter of Assent prior to their commencement of work.

Sincerely,

[Name of Construction Company]

By:
[Name and Title of Authorized Executive]

[Copies of this Letter must be submitted to the Project Labor Coordinator and to the Council consistent with Article 3, Section 3.3(b)]

CBA Master Agreements (Local Union Master Labor Agreements)

Master Agreements are the local master labor agreements of the CBA-signatory unions

The CBA supersedes the Master Agreements

Provisions of the Master Agreements are only applicable when the subject is not otherwise covered by the CBA

Contractors may request a copy of the applicable Master Agreements from the involved local union(s)

SIGNATORY UNIONS

By: <u>Michael Patterson</u> Allied Workers Local 5	By: <u>Luis Miramontes</u> Boilermakers Local 92
By: <u>Chris Brisson</u> Bricklayer & Allied Crafts Local 4	By: <u>Jack Alvarado</u> Cement Masons Local 500 / Area 744
By: <u>[Signature]</u> Electrical Workers Local 569	By: <u>Tony Garganiga</u> Elevator Constructors Local 18
By: <u>Ernesto Toscano</u> Painters & Allied Trades District Council 36	By: <u>Beau Coleman</u> Iron Workers Local 229
By: <u>Val Macedo</u> Laborers Local 89	By: <u>Tom Castleman</u> Masters Local 200
By: <u>James Priado</u> Plaster Tenders Local 1414	By: <u>Ronald G. Ford</u> Operating Engineers Local 12
By: <u>Steve Beninger</u> Plumbers & Pipefitters Local 230	By: <u>Todd Barry</u> Road Sprinkler Fitters Local 669
By: <u>Paul Colmenero</u> Roofers & Waterproofers Local 45	By: <u>Dave Gauthier</u> Sheet Metal Workers' Local 206
By: <u>[Signature]</u> Laborers Local 1184	By: <u>Jose Estrada</u> Teamsters Local 166
By: <u>Ed Learn</u> Laborers Local 345	By: <u>SERGIO RASCAN</u> Laborers Local 300
By: <u>Ricardo Perez</u> UA Local 345	By: <u>Juan Priado</u> Southern California District Council of Laborers
By: <u>Stephen Aravena</u> Southwest Regional Council of Carpenters	By: <u>[Signature]</u> Operating Engineers Local
	By: <u>[Signature]</u> Operating Engineers Local

CBA Union Participation or Subscription Agreements

- For non-union Contractors, the involved Union(s) may require a non-discriminatory Participation or Subscription Agreement to be signed at the request of the Union benefit trust funds
- The Participation or Subscription Agreement cannot bind the Contractor beyond the terms and conditions of the CBA
- Should reference the CBA and the applicable construction project(s)
- Contractors not obligated to sign any other local, area or national agreement as a condition of performing CBA-covered Project Work



Poll Break



Please answer the pop-up poll on your screen.

Question #1:

How do the contractors become bound by the CBA?

- A. By joining the union
- B. By signing a Letter of Assent
- C. They are automatically bound by the CBA by working on a CBA covered project
- D. When Elaine says so



Question #1:

How do the contractors become bound by the CBA?

- A. By joining the union
- B. **By signing a Letter of Assent**
- C. They are automatically bound by the CBA by working on a CBA covered project
- D. When Elaine says so

Workforce Opportunities for Rising Careers (WORC)

- WORC is a SANDAG workforce development program that includes the following:

Pre-Apprenticeship

Disadvantaged Workers

Targeted Workers

Disadvantaged Businesses

Helmets to Hardhats

- Supports disadvantaged and low-income workers to find quality and sustainable careers in construction
- Upholds the agency's commitment to equity



Pre-Apprenticeship Program

- SANDAG is part of the San Diego region's Apprenticeship Readiness Collaboration (ARC)
- Our partners include the following: San Diego Workforce Partnership, San Diego College of Continuing Education Foundation, and the San Diego County Building & Construction Trades Council
- Preparing underserved and underrepresented individuals for apprenticeships
- Completed four (4) successful graduating cohorts



As a recipient of SB1 funds, SANDAG is required to **participate in, invest in, or partner with**, new or existing pre-apprenticeship program.

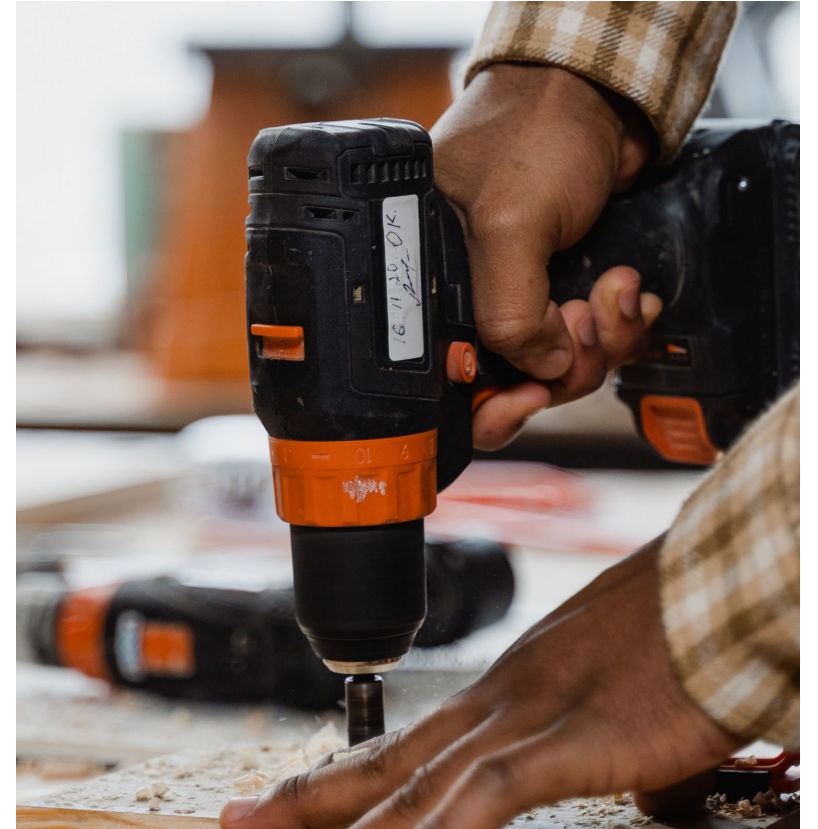
Disadvantaged Workers Program

- Focuses on obtaining workers from low-income populations
- Contractor must meet the 30% Disadvantaged Worker program goal on covered projects
- Identifies workers by utilizing predetermined low-income zip code lists (locally and nationally)
- Option to establish a project radius for local and pre-approved federal contracts
- Includes Veterans residing anywhere and individuals from low-income zip codes



Targeted Workers Program

- Focuses on recruiting workers from vulnerable and underrepresented populations, including people of color and women
- Contractor must meet the 10% Targeted Workers program goal on covered projects
- Targeted Workers include individuals from any of the qualifying categories
- Increases job access for workers who face barriers to employment
- Includes Helmets to Hardhats program



Targeted Workers



Voluntary Targeted Worker Verification & Reporting

- Voluntary Targeted Worker survey form is distributed and collected by the Jobs Coordinator
- Gives workers the opportunity to voluntarily identify as one or more of the Targeted Worker categories and provide supporting documentation
- Once the Targeted Worker's status is voluntarily verified, the Project Labor Coordinator will indicate the worker as a Targeted Worker in the LCPtracker online certified payroll system so that Targeted Worker participation can be monitored and reported

EXAMPLE

A Veteran working on a SANDAG project completes the voluntary Targeted Worker survey form and provides a copy of her or his DD-214 as proof of veteran status.

Once verified by the Project Labor Coordinator, that Veteran's hours worked on the project will then be counted towards the 10% Targeted Worker hiring goal.

Helmet to Hardhats

- Veterans interested in careers in the construction industry
- Non-profit dedicated to helping military Veterans
- Resources for union apprenticeship programs, contractors and Veterans
- Database of Veterans interested in working on SANDAG projects



Quincy Lunford


Southwestern Regional
Representative

qlunford@helmetstohardhats.org

323.428.1687

CBA Attachment B-1

Workforce Dispatch Request Form



ATTACHMENT B-1 – Workforce Dispatch Request Form
San Diego Association of Governments Community Benefits Agreement

The San Diego Association of Governments (SANDAG) Community Benefits Agreement (CBA) establishes a goal of at least thirty percent (30%) of the total craft hours on each Covered Project being performed by Disadvantaged Workers. The SANDAG CBA also establishes a goal of at least ten percent (10%) of the total craft hours on each Covered Project being performed by Targeted Workers. The Unions and Contractors agree that Disadvantaged Workers and Targeted Workers shall be first referred for Covered Projects when requested through use of this Workforce Dispatch Request Form.

CONTRACTOR USE ONLY

Please complete and fax/email this form to the applicable union to request craft workers that fulfill the hiring requirements for this project. After faxing/emailing your request, please call the local union to verify receipt and substantiate their capacity to furnish workers as specified below. Please print and retain copies of your fax or email transmission for your records.

TO:	Local Union and #	
	Email/Fax	
	Phone	
CC:	Project Labor Coordinator	
	Email/Fax	
FROM:	Contractor	
	Issued by	
	Email/Fax	
	Phone	

UNION CRAFT WORKER REQUEST:				
Craft Classification	Journeyman or Apprentice	Disadvantaged Worker and/or Veteran	Targeted Worker	No. of Workers Requested
	<input type="checkbox"/> JM <input type="checkbox"/> APP	*	**	
	<input type="checkbox"/> JM <input type="checkbox"/> APP	*	**	
	<input type="checkbox"/> JM <input type="checkbox"/> APP	*	**	
	<input type="checkbox"/> JM <input type="checkbox"/> APP	*	**	
	<input type="checkbox"/> JM <input type="checkbox"/> APP	*	**	
Total Number of Workers Requested:				

In accordance with the CBA, Article 4, Union Recognition and Employment, we are requesting the union:

* Please provide priority referral of Disadvantaged Workers, based on zip code residence as described on the following page, or veteran status.

** Please provide priority referral of Targeted Workers, to the extent such status is known by the hiring hall or referral source; see list of criteria on the following page.

WORKER REPORTING INSTRUCTIONS:			
Reporting Date:		Reporting Time:	
Reporting To:		On Site Phone:	
Project Name:			
Project Location:			
Special Instructions:			

SANDAG CBA Attachment B-1: Workforce Dispatch Request Form [Page 1 of 2]

- All Contractors are required to utilize the Workforce Dispatch Request Form when requesting craft labor from the appropriate union hiring halls
- Disadvantaged Worker qualifying zip codes are listed
- Allows for dispatch of next available qualified Disadvantaged Worker
- Contractor sends the form to the Union hiring hall dispatch office to request workers as needed, along with any other dispatch documentation required by the individual union
- Union completes the dispatch process and returns the completed form to the Contractor and SANDAG's Project Labor Coordinator

WORC Program Hiring Requirements

- May be difficult to assess liquidated damages due to the Contractor's failure to comply with Disadvantage Worker and Targeted Worker goals
- Contractors shall owe liquidated damages in the amount \$25 per Construction Work Hour by which the project is short of either of the specified goals
- Minimum withholding will be 2% of the total monthly progress payment
- Any withholding will be released by SANDAG upon the Contractor achieving the goals in their contract



Jobs Coordinator Program

- Contractor shall engage a Jobs Coordinator prior to bidding on a Covered Project
- A Jobs Coordinator is an independent third-party individual, entity, or employee with whom the Contractor enters into a contract or employs to facilitate the achievement of the hiring goals
- The Jobs Coordinator may be selected from the SANDAG Pre-Qualified Jobs Coordinators List





Pre-Qualified Jobs Coordinators List

Company/Organization Name	Main Contact	Address	City	State	Zip	Phone	Email	Website
Del Richardson & Associates, Inc. (DRA)	Taurean Gordon	510 South La Brea Avenue	Inglewood	CA	90301	310.683.3310	t.gordon@drainc.com	www.drainc.com
Good For Others LLC	John Valencia	3536 Princeton Avenue	San Diego	CA	92117	619.507.4213	john@goodforothers.org	www.goodforothers.org
Harris & Associates dba Harris Consulting Group	Teela Page	865 S. Figueroa St. Suite 2750	Los Angeles	CA	90017	213.489.9833	teela@harrisconsultinggroup.net	www.harrisconsultinggroup.net
Modern Times, Inc.	Alison Feldman	1892 E. Altadena Dr.	Altadena	CA	91001	213.810.6101	alison@moderntimesinc.com	www.moderntimesinc.com
Padilla & Associates, Inc.	Patricia Padilla	211 E. City Place Drive	Santa Ana	CA	92705	714.568.0363	ppadilla@padillainc.com	www.padillainc.com
Playa Vista Job Opportunities and Business Services (PV Jobs)	Mary Taylor	4112 South Main Street	Los Angeles	CA	90037	323.497.5179	mtaylor@pvjobs.org	www.pvjobs.org
TransCal Services, LLC	Jeffery Henderson	6109 South Western Avenue, Suite 103	Los Angeles	CA	90047	818.419.2581	jhenderson@transcalservices.com	www.transcalservices.org
TSG Enterprises, Inc. dba The Solis Group	Gary A. Hamm	9815 Carroll Canyon Rd, Suite 200	San Diego	CA	92131	626.685.6989	gamm@thesolisgroup.com	www.thesolisgroup.com

CBA Reporting



- Targeted Worker utilization reports generated by SANDAG using LCPtracker
- Reports will be generated by SANDAG on the 15th of each month, or the next working day following the 15th of each month, for the prior month's reporting period
- Project Labor Coordinator shall produce detailed bi-annual to measure the success of our WORC program components
- The Disadvantaged and Targeted Worker utilization reports will be based on certified payroll records received for work performed through the end of the reporting period
- Project Labor Coordinator will initiate any monthly withholding of progress payments, which will be released by SANDAG upon the contractor achieving the applicable percentage goals

Poll Break



*Please
answer the
pop-up poll
on your
screen.*

Question #2:

What is the dollar amount threshold for the CBA to applicable?

- A. \$1 million
- B. \$3 million
- C. \$5 million
- D. \$7 million



Question #2:

What is the dollar amount threshold for the CBA to applicable?

- A. \$1 million
- B. \$3 million
- C. **\$5 million**
- D. \$7 million

Referral Procedures & Core Employees



- Contractors have the right to determine the competency of all employees, the number of employees required, and shall have the sole responsibility for selecting employees to be laid off
- Contractor shall have the right to reject any applicant referred by a local union for any non-discriminatory reason
- The core employee requirements are only applicable to contractors who are not otherwise directly signatory to a CBA-signatory union
- Core Employees must be a Journeyperson or Apprentice and must appear on the contractor's active payroll for at least sixty (60) out of the last one-hundred-twenty (120) working days prior to being designated as a Core Employee

CBA Attachment B-2

Contractor Core Workforce Form



ATTACHMENT B-2 – CONTRACTOR CORE WORKFORCE FORM
 San Diego Association of Governments Community Benefits Agreement

SANDAG'S Community Benefits Agreement Article 4, Section 4.6 requires Contractors who are not directly signatory to an applicable Master Agreement to provide a list of Core Employees to the Project Labor Coordinator and applicable Union, prior to performing Covered Work. After submitting the Core Employee list prior to commencing work, Contractors shall not make any changes or substitutions to the Core Employee list for the duration of the Covered Project except in cases where a Core Employee is injured or otherwise cannot work on the Covered Project due to factors beyond the Contractor's control. Failure to submit the Core Employee list prior to work commencing will prohibit the Contractor from using any Core Employees for 30 calendar days after the list is provided to the Project Labor Coordinator and applicable Union.

CONTRACTOR INFORMATION			
Covered Project Name:			
Contractor/Firm Name:			
Submitted by:		Date Submitted:	
Email:		Phone:	

In accordance with the SANDAG Community Benefits Agreement, Article 4, Section 4.6 (f), a Core Employee must meet all of the following requirements:

- a. Be either a journeyman or Apprentice;
- b. Be on Contractor's active payroll for at least sixty (60) of the last one-hundred-twenty (120) working days prior to being designated as a Core Employee; and
- c. Possess any license required by state or federal law for the Covered Projects to be performed.

Please see Article 4.6 of the Community Benefits Agreement for additional information regarding use of Core Employees, including limits and order of referrals.

CRAFT / TRADE	EMPLOYEE NAME	LAST 4 SSN	HIRE DATE	DATE LAST EMPLOYED

- Contractors must require their Core Employees to register with the appropriate union and provide a list of its core employees to the Project Labor Coordinator and the Council prior to commencing work
- Failure to submit the Core Employee list prior to work commencing will prohibit the Contractor from using any Core Employees for 30 calendar days after the list is provided
- After submitting the Core Employee List, Contractors shall not make any changes or substitutions to the Core Employee list for the duration of the Covered Project

Core Employee Referral Procedure

Employer's Core Employees Per Craft	Union Referral
1 st Employee (core)	2 nd Employee (union)
3 rd Employee (core)	4 th Employee (union)
5 th Employee (core)	6 th + any additional employees (union)

- Contractors not otherwise signatory to a CBA-signatory union must adhere to an alternating hiring procedure if they intend to employ Core Employees on a Covered Project
- Contractors employing more than fifty (50) craft workers at the same time in a specific trade on a Covered Project may hire an additional two (2) Core Employees

Benefits and Core Employee Flexibility for Disadvantaged Businesses

- Disadvantaged Businesses (DBs) are businesses that have been certified through certifying agencies as a Disadvantaged Business Enterprise, a Small Business, Disabled Veteran Business Enterprise
- Exemption applies to DBs with a subcontract value of \$500,000 or less, or 0.5% of the prime contract value, whichever is greater
- The total value of all exemptions shall not exceed twenty (20) percent of the total contract
- The Prime Contractor is responsible for tracking and reporting all DB exemptions using the applicable SANDAG form



Core Employee Flexibility for Qualifying DBs

DB's Core Employees Per Craft	Union Referral
1 st Employee (core)	-
2 nd Employee (core)	-
3 rd Employee (core)	4 th Employee (union)
5 th Employee (core)	6 th Employee (union)
7 th Employee (core)	8 th and any additional referrals (union)

CBA Additional Referral Procedures

- If any Union is unable to refer workers meeting the specific classifications, including Disadvantaged Workers and Targeted Workers, requested by the Contractor within 48 hours then the contractor may hire additional Core Employees or applicants from other sources in order to meet the craft worker demands of the specific referral request
- Employees are not required to become or remain union members as a condition of performing Covered Work under this Agreement
- No discrimination and harassment



Skilled and Trained Workforce

- Each contractor performing work on a Covered Project is required to use a skilled and trained workforce, as defined in Public Contract Code § 2602
- Unions and contractors shall utilize the CBA grievance procedures to resolve any disputes regarding skilled and trained workforce requirements
- To the extent permissible by law, contractors and SANDAG shall be relieved of reporting and enforcement obligations described in Public Contract Code § 2602 and 2603



CBA Employee Wages and Fringe Benefit Contributions



- All employees shall be classified in accordance with the work performed and paid the hourly rates for those classifications in compliance with the Applicable Prevailing Wage Laws
- The hourly benefit portion of the Applicable Prevailing Wage Determination must be paid to the appropriate Union employee benefit funds
- Typically, these benefit contributions are submitted monthly
- DB exemptions

Example: CBA Employee Benefit Fund Contributions

Localities:

All localities within San Diego County

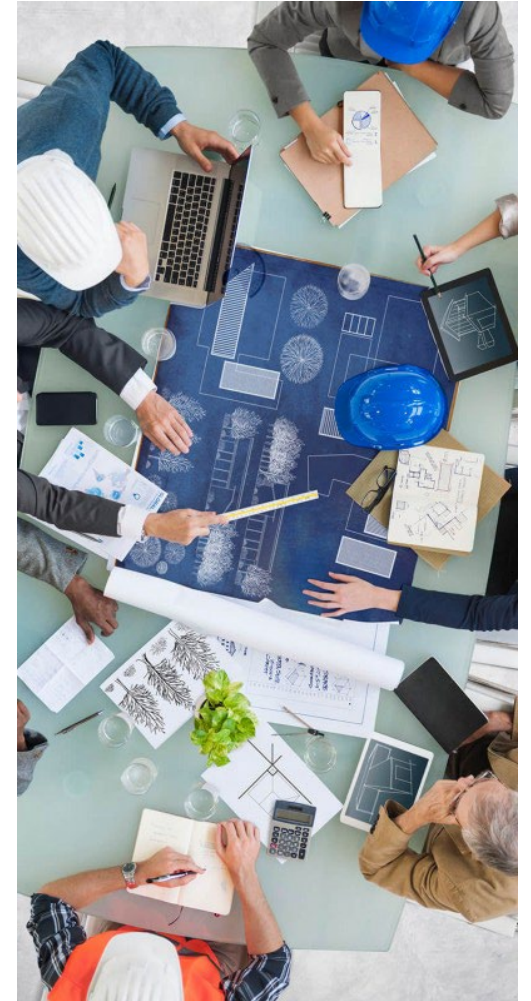
Wages and Employer Payments: Engineering Construction

Classification (Journeyman)	Basic Hourly Rate	Health and Welfare	Pension	Vacation and Holiday ^a	Training	Other Payment ^b	Hours	Total Hourly Rate	Daily Overtime Hourly Rate ^c (1 1/2 X)	Saturday Overtime Hourly Rate ^c (1 1/2 X)	Sunday/Holiday Overtime Hourly Rate (2 X)
Carpenter (Heavy and Highway Work)	\$44.24	\$8.00	\$5.66	\$7.16	\$0.62	\$2.43	8.0	\$68.11	\$90.23	\$90.23	\$112.35
Bridge Carpenter (Highway Work)	\$44.37	\$8.00	\$5.66	\$7.16	\$0.62	\$2.43	8.0	\$68.24	\$90.425	\$90.425	\$112.61
Millwright	\$44.74	\$8.00	\$5.66	\$7.16	\$0.62	\$2.63	8.0	\$68.81	\$91.18	\$91.18	\$113.55
Pile Driver ^d	\$44.37	\$8.00	\$5.66	\$7.16	\$0.57	\$2.48	8.0	\$68.24	\$90.425	\$90.425	\$112.61

State of California
Employer Benefit
Payments (example)

CBA Pre-Job Conferences

- Separate from a Pre-Construction meeting and facilitated by the Project Labor Coordinator
- Each contractor shall conduct a pre-job conference with the Unions not later than 10 calendar days prior to commencing work
- Pre-job conference is to determine craft worker needs, schedule of work for the contract and project work/owner rules, and all union work assignments shall be disclosed by the Contractor(s)
- Contractor(s) performing Project Work that was not previously discussed at the pre-job conference shall conduct a separate pre-job conference
- Any Union in disagreement with the proposed assignment shall notify the contractor of its position in writing within 5 calendar days thereafter



CBA Pre-Job Conference Form Template Tips

TIPS TO AVOID COMMON MISTAKES

Contractor Jurisdictional Work Assignments				
<small>As required by CBA Article 8, Section 8.1, the assignment of work will be solely the responsibility of the contractor performing the work involved; and such work assignments will be in accordance with the Plan for the Settlement of Jurisdictional Disputes in the Construction Industry (the "Plan") or any successor plan.</small>				
<small>All jurisdictional disputes on this project shall be settled in accordance with CBA Article 8</small>				
Jurisdictional Work Assignments				
<u>Contractor name</u>	<u>Scope of Work</u>	<u>Union OR Non- Union</u>	<u>DBE or Non DBE</u>	<u>Union Work Assignment (Local #)</u>
<i>Example: XYZ Contractor</i>	<i>Sprocket Installation</i>	<i>Union</i>	<i>DBE</i>	<i>Sprocket Union 123</i>

- All Contractors (which includes all tiers of subcontractors) must make their own assignment(s)
- Contractors should breakdown individual scope of work assignments in separate rows if they are going to work with multiple unions
- All contractors, including all tiers of subcontractors must attend the pre-job conference
- Ensure the union name and local number are listed, and that the union(s) are signatory to the CBA and cover the geographic area of the project location

CBA Pre-Job Subcontractor Template

SANDAG Community Benefits Agreement
Subcontractor Pre-Job Conference Form

Subcontractor Name _____

SUBCONTRACTOR INFORMATION

Address: _____

Contract Amount: _____ Contracted by: _____

Contact Name: _____ Email: _____ Phone: _____

License No.: _____ License Classification: _____ License Status: _____

DBE: Yes No DBE Certifying Agency: _____

Estimated Start Date: _____ Estimated Completion: _____

PROJECT INFORMATION **JOBSITE SCHEDULING**

Project Name: _____ Number of Shifts: _____

Prime Contractor: _____ Daily Start Time: _____ Daily Stop Time: _____

Contract Number: _____ Pay Period End Day: _____ Pay Day: _____

SCOPE OF WORK **EQUIPMENT TO BE UTILIZED**

CONTRACTOR JURISDICTIONAL ASSIGNMENT

As required by CBA Article 8, Section 8.1, the assignment of work will be solely the responsibility of the contractor performing the work involved; and such work assignments will be in accordance with the Plan for the Settlement of Jurisdictional Disputes in the Construction Industry (the "Plan") or any successor plan.

All jurisdictional disputes on this project shall be settled in accordance with CBA Article 8

JURISDICTIONAL ASSIGNMENTS

SCOPE OF WORK	Union or Non-Union?	CRAFT ASSIGNMENT		WORKFORCE ESTIMATE	
		Union Name	Local No.	Peak	Avg.
<i>Example: Installation of Sprockets</i>	<i>Union</i>	<i>Sprocket Installers</i>	<i>123</i>	<i>5</i>	<i>2</i>

San Diego Building and Construction Local Unions: <https://www.sdbuildingtrades.com/affiliates/roster/>

FOR OFFICE USE ONLY: CBA Pre Job Conference Date/Time _____

- Each subcontractor performing covered work should provide a completed subcontractor CBA form to the Prime before the CBA Pre-Job conference
- The Prime will incorporate all subcontractor information to the CBA Pre Job Conference form
- All CBA subcontractor forms will be to provided to the CBA team with the completed CBA Pre Job Conference form before the CBA Pre Job Conference is scheduled

CBA Grievance Procedures

- Standardized labor dispute resolution procedures to resolve contractor, union, and employee grievances
- Union jurisdictional dispute resolution procedures, “The Plan”
- Process for resolving work stoppages and lockouts expedited arbitration and assessment of liquidated damages



Forms & Submittals

Document/Form	Due Date	Frequency	Submitted by	Info
CBA Pre-Job Conference Form (Prime)	Prior to Pre-Job	Update as needed	Prime Contractor	<ul style="list-style-type: none"> CBA Article 8, Section 8.4 and Article 16, Section 16.1
CBA Pre-Job Conference Form (Subcontractor)	Prior to Pre-Job	Update as needed	Subcontractors	<ul style="list-style-type: none"> CBA Article 8, Section 8.4 and Article 16, Section 16.1
Letter of Assent	Prior to Work Start	One Time	All Contractors (All tiers)	<ul style="list-style-type: none"> As required by CBA Article 3, Section 3.3(b) Copy uploaded to LCP Tracker
Contractor Core Workforce Form	Prior to Work Start	One Time	Non-Union Contractors	<ul style="list-style-type: none"> As required by the CBA Article 4, Section 4.6 (d) Copy uploaded to LCP Tracker
Workforce Dispatch Request Form & Transmittal Confirmation	As the need to request workers arises	As Needed	All Contractors (All tiers)	<ul style="list-style-type: none"> As required by the CBA Article 4, Section 4.5 Original submitted to applicable Union Copy uploaded to LCP Tracker
Targeted Worker Survey	When Work Starts	As Needed	Jobs Coordinator	<ul style="list-style-type: none"> Used to identify Targeted Workers on the project Upload to LCP Tracker along with verification documents
Monthly Proof of Fringe Benefit Payments to Union Trust Fund	Monthly	Monthly	All Contractors (All tiers)	<ul style="list-style-type: none"> As required by CBA Article 6, Section 6.2, Labor Code Section 1776 and CCR 16000 Copy uploaded to LCP Tracker <u>on a monthly basis</u>
Disadvantaged Business Exemption Form	As the need to request exemptions arise	As Needed	Prime Contractor	<ul style="list-style-type: none"> As required by the CBA Article 6, Section 6.2 Copy uploaded to LCP Tracker
Jobs Coordinator Performance Evaluation Form	At 50% project completion and end of project	Two Times	Prime Contractor	<ul style="list-style-type: none"> Used to evaluate Jobs Coordinators project performance Copy uploaded to LCP Tracker



*Please
answer the
pop-up poll
on your
screen.*

Question #3:

What is the effective date of the SANDAG CBA?

- A. January 19th (The day SANDAG signed the CBA)
- B. April 1st
- C. May 19th
- D. June 1st



Question #3:

What is the effective date of the SANDAG CBA?

- A. January 19th (The day SANDAG signed the CBA)
- B. April 1st
- C. **May 19th**
- D. June 1st

CBA Compliance Summary for Contractors

Before Project Starts

- Read and understand the CBA and provide copies to subcontractors
- Sign and submit a Letter of Assent as soon as feasible and prior to commencing work. Prime Contractor shall sign LOA as a condition of award
- Develop a compliant Disadvantaged and Targeted Worker hiring strategy and prepare to comply with all aspects of the WORC Program Hiring requirements
- Determine union work assignment(s), which will be disclosed at the CBA Pre-Job Conference
- Confer with affected union(s) and sign the union's subscription (AKA participation or project-specific trust agreement), if required
- Register "core employees" with appropriate union and follow proper hiring and referral procedures
- Complete and submit Core Employee List, if applicable

CBA Compliance Summary for Contractors

After Project Starts

- Make accurate employee benefit contributions to the appropriate union benefit funds on behalf of all employees performing Project Work
- Ensure compliance with the WORC Program requirements, including the 30% Disadvantaged and 10% Targeted Worker hiring requirements
- Use the Workforce Dispatch Request Form to request dispatch of all workers from the union hiring hall on the project and ensure copies are provide to the Project Labor Coordinator with all requested information
- Review Disadvantaged and Targeted Worker hiring reports and take corrective action as necessary
- Coordinate and communicate with the SANDAG Project Labor Coordinator team – we're here to help!

Some Anticipated CBA Construction Projects

Project Name	Construction Estimate	Estimated IFB Date
Border to Bayshore	\$13.8 million	May-22
Otay Mesa East Port of Entry	\$400-\$500 million	TDB
Imperial Avenue Bikeway	\$7.9 million	Aug-22
IRT: Phase 3 (Vista & Oceanside) Segment 3B	\$5 million	Aug-22
North Park Mid-City: Orange Segment	\$6.4 million	Jan-23
North Park Mid-City: University Segment	\$14.8 million	Jun-23

FHWA Funded SANDAG Construction Project

- The project must be approved prior to Caltrans issuing an E-76
- Individual letters must be submitted for each CBA covered project, no blanket letter covering all projects
- Approval process can take up to 5 months
- Letter must include the following project information:
 - Project name
 - Federal Aid Project #
 - PPNO
 - Estimate
 - Bid Advertisement Date
 - CIP #
 - Scope



Resources

Visit our website!

sandag.org/cba

Contracts
Community Benefits Agreement



[Contracts](#) | [DISCO/DBE](#) | [Terms & Conditions](#) | [Helpful Hints](#) | [Register](#)

[Small Business Bench Application](#) | [Community Benefits Agreement](#)

Resources

Program Policy

[Community Benefits Agreement \(2021\)](#)

Contractor Forms

[SANDAG Forms and Submittal List](#)

[CBA Pre-Job Conference Form \(Prime\)](#)

[CBA Pre-Job Conference Form \(Subcontractor\)](#)

[CBS Pre-Job Conference Form Instructions for Subcontractor](#)

[Letter of Assent](#)

[Contractor Core Workforce Form](#)

[Disadvantaged Business Contractor Core Workforce Form](#)

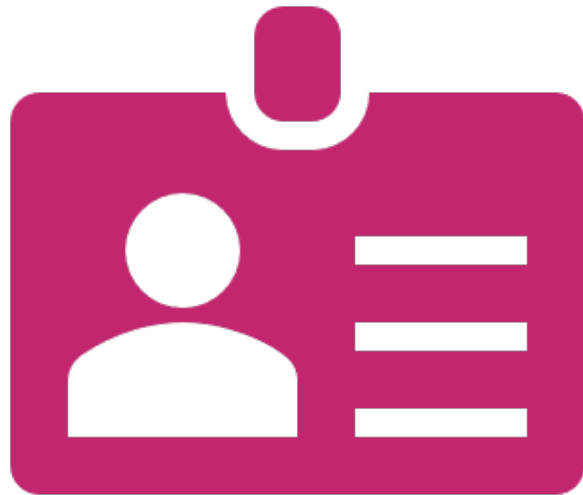
[Disadvantaged Business Exemption Request Form \(coming soon\)](#)

[Workforce Dispatch Request Form & Transmittal Confirmation](#)

[Targeted Worker Survey](#)

CBA Contact

For any questions about the SANDAG CBA, please contact:



ERIK STAPLES

Senior Administrative Analyst, SANDAG
erik.staples@sandag.org

BRENT BISHOP

Senior Project Manager, Gafcon
bbishop@gafcon.com

DAN SLOAN

Principal, Parsons Constructors, Inc.
Mobile: (206) 295-3303
dan.sloan@parsons.com

