



Port of Seattle Commission

Policy Directive on

Construction Labor Practices for

Projects Located on Port of

Seattle Property

As Amended

November 28, 2017

Document last updated April 3, 2018

SECTION 1.

1
2 For major construction contracts (excluding small works executed per RCW 39.04.155):

3
4 A. The Port shall evaluate the applicability of a project labor agreement (PLA) for each
5 contract according to the following criteria:

6
7 ~~(1) The assumption will be in favor of employing a PLA when projected construction~~
8 ~~labor costs are \$5 million or greater.~~ The assumption will be in favor of
9 employing a PLA for construction contracts that are anticipated to be in excess of
10 \$5 million at the time of bid or, if absent at bid, at the time of the contract
11 award.

12
13 (2) Project needs for labor continuity and stability, including analysis of labor needs
14 by trade

15
16 (3) Project complexity, including cost and duration

17
18 (4) Value of having uniform working conditions

19
20 (5) Potential impact of PLA on small business opportunities

21
22 (6) Past labor disputes or issues indicating risk of delay

23
24 (7) Potential PLA impact on project cost

25
26 (8) Project presents specific safety concerns to the public

27
28 (9) Value of an established PLA grievance process to resolve labor-management or
29 jurisdictional disputes

30
31 (10) Other considerations particular to individual projects *(Res. 3725, §1, 2017)*

32
33 B. The Port shall require the payment and reporting of prevailing wages per RCW and
34 State Department of Labor and Industries requirements. *(Res. 3725, §1, 2017)*

35
36 C. Commission approval is needed to employ a PLA. *(Res. 3725, §1, 2017)*

37
38 D. For contracts \$1 million in value or greater, the Port shall establish:

39
40 (1) Appropriate apprentice hiring goals.
41

42 (2) Appropriate aspirational women and minority apprentice hiring goals. (Res.
43 3736, §1, 2017; Res. 3725, §1, 2017)

44
45 E. For contracts under a PLA ~~with projected construction labor costs at or above \$5 million,~~
46 the Port shall establish priority hire goals. (Res. 3736, §1, 2017)

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48
49 **SECTION 2.**

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51 For tenant-administered construction contracts paid for entirely or in part by the Port through
52 tenant reimbursement or other means, the Port shall:

53
54 A. Encourage tenants to examine the applicability of a PLA for each contract according
55 to the criteria in Section 1(A) above. (Res. 3725, §1, 2017)

56
57 B. As a condition of cost reimbursement, require the payment and reporting of
58 prevailing wages as per RCW and State Department of Labor and Industries requirements.
59 (Res. 3725, §1, 2017)

60
61 C. For contracts \$1 million in value or greater:

62
63 (1) Require the establishment of appropriate apprentice hiring goals.

64
65 (2) Encourage the establishment of appropriate aspirational women and minority
66 apprentice hiring goals. (Res. 3736, §1, 2017; Res. 3725, §1, 2017)

67
68 D. For contracts under a PLA ~~with projected construction labor costs at or above~~
69 ~~\$5 million,~~ the Port shall establish priority hire goals. (Res. 3736, §1, 2017)

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71 **SECTION 3.**

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73 For construction contracts performed on Port property at the full cost of tenants, the Port shall:

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75 A. Encourage tenants to examine the applicability of a PLA for each contract according
76 to the criteria in Section 1(A) above. (Res. 3725, §1, 2017)

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78 B. As a provision of initial requests for proposal or opening negotiations, as
79 appropriate:

80
81 (1) As a lease provision, require the payment and reporting of prevailing wages as
82 per RCW and State Department of Labor and Industries requirements.

83
84 (2) For contracts \$1 million in value or greater:

- 86 (a) Require the establishment of appropriate apprentice hiring goals.
87
88 (b) Encourage the establishment of appropriate aspirational women and
89 minority apprentice hiring goals. *(Res. 3736, §1, 2017; Res. 3725, §1, 2017)*
90
91 (3) For contracts under a PLA ~~with projected construction labor costs at or above~~
92 ~~\$5 million~~, the Port shall establish priority hire goals. *(Res. 3736, §1, 2017)*
93
94 C. If an advertised or negotiated development opportunity featuring the above
95 provisions fails to advance staff:
96
97 (1) Shall investigate the circumstances, to include discussions with potential
98 proposers and labor.
99
100 (2) Is authorized to incorporate modified construction labor provisions for scoring
101 the solicitation and incorporation in the eventual agreement. *(Res. 3725, §1,*
102 *2017)*
103

104 **SECTION 4.**

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106 The Projects and Procurements Committee is hereby chartered to work with staff and
107 stakeholders to develop standard language to be included in Port PLAs unless otherwise
108 authorized by the Commission. *(Res. 3725, §1, 2017)*
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110 **SECTION 5.**

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112 In each case above, the Port will establish reliable, auditable, and disclosable measures to
113 ensure compliance. *(Res. 3725, §1, 2017)*
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115 **SECTION 6.**

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117 The Port staff will seek in cooperation with regional government agencies, construction trade
118 unions, contractors and training institutions to develop cooperative programs to advance the
119 training and placement of apprentices, with emphasis on expanding opportunity for
120 underrepresented groups. *(Res. 3725, §1, 2017)*

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Revision History

November 28, 2017

Resolution 3736 amended the policy directive to alter contract thresholds for the purposes of applying priority hire goals.

October 25, 2017

Resolution 3725, establishing the Policy Directive on Construction Labor Practices for Projects Located on Port of Seattle Property, was adopted.