

***RLA and Backup  
Material Attached***

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** determining to award certain construction contracts utilizing a project labor agreement.

**RESOLUTION NO. 17994**, October 8, 2012

**INTRODUCED BY** Dan Tarwater, County Legislator

WHEREAS, the County is preparing to undertake extensive construction projects for the renovation of the Historic Truman Courthouse and the renovation of the Eastern Jackson County Courthouse (formerly the Independence Courthouse Annex), both located in Independence, MO; and,

WHEREAS, the County is considering the award of the contracts for the construction of these projects utilizing a project labor agreement (the Kansas City Construction Partners (KCCP) Agreement), as authorized by sections 34.203 -.217, RSMo; and,

WHEREAS, Missouri Law requires that any political subdivision that proposes to award a contract for a construction project utilizing a project labor agreement must analyze the impact of the project labor agreement, conduct public hearings, and make findings on specific points; and,

WHEREAS, the County has published its notice of its intent to enter into a union project labor agreement in the *Independence Examiner* on September 28, 2012, as required by

Missouri law; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Legislature does hereby make the following findings regarding the proposed use of the KCCP project labor agreement on the renovation projects for the Historic Truman Courthouse and the Eastern Jackson County Courthouse:

1. The project labor agreement will advance the interests of Jackson County and its citizens. The KCCP agreement requires signatories to agree to a Code of Conduct which specifies that all workers on a project be skilled in their trades, with proper training as outlined in the agreement's mandatory Safety Program. The Safety Program also establishes a zero tolerance policy for substance abuse on the job.

2. The project labor agreement is appropriate considering the complexity, size, cost impact, and need for efficiency on the projects. The two projects are complex, involving extensive renovations occurring on all floors of both buildings. Further, the projects are critically related to each other as the operations to be housed in the Historic Truman Courthouse will be relocated from the Eastern Jackson County Courthouse prior to the commencement of work on the latter. It is essential to county operations that the Historic Truman Courthouse project be completed on time, so that the work on the Eastern Jackson County Courthouse can then commence and be completed in a timely manner.

3. The project labor agreement does not impact the availability of a qualified work force. Eligibility for award of one or both of these contracts is not limited to "union" construction firms or to firms that are already signatories to the KCCP. Rather, any firm that is willing to sign the KCCP and abide by its Code of Conduct, Safety Program, and other terms, is eligible for award of one or both contracts. Additionally, the Code of Conduct gives hiring preference to local contractors and local labor. These factors combine to provide reasonable assurance that there is an adequate local work force to complete the projects.

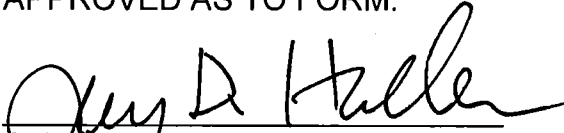
4. The scope of the project labor agreement has a business justification for the projects as bid. In recent projects, the county has struggled with contractors' compliance with the Missouri Prevailing Wage Act, sections 290.219 *et seq.*, RSMo. Additional jurisdictional issues among construction trades have arisen. The KCCP agreement contains an expedited dispute resolution process that will allow for rapid resolution of issues with minimal effect on the projects overall; and,

BE IT FURTHER RESOLVED that the Legislature hereby does finally determine that contracts for the two projects should be awarded utilizing the KCCP project labor agreement; and,

BE IT FURTHER RESOLVED that the Clerk of the County Legislature be and hereby is directed to publish this Resolution in the *Independence Examiner*, as required by Missouri law.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Chief Deputy County Counselor

  
\_\_\_\_\_  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 17994 of October 8, 2012, was duly passed on October 15, 2012 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 1

Abstaining 0

Absent 0

10-15-12  
Date

  
\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature