

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Approved as to form and legality



Deputy City Attorney

2012 OCT 11 PM 5:56 RESOLUTION NO. 84072 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A PROJECT LABOR AGREEMENT WITH THE BUILDING AND CONSTRUCTION TRADES COUNCIL OF ALAMEDA COUNTY, AFL-CIO, AND SPECIFIED LOCAL UNIONS FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS AT THE FORMER OAKLAND ARMY BASE WITHOUT RETURNING TO THE CITY COUNCIL

WHEREAS, the site preparation and construction of public infrastructure for the former Oakland Army Base (“OARB”) will be a large, complex, multi-craft, and long-term project; and

WHEREAS, construction contractors (“Contractors”) will be engaged in the construction of the project; and

WHEREAS, a skilled labor pool represented by local labor union(s) will be required to complete the work involved; and

WHEREAS, the Building and Construction Trades Council of Alameda County, AFL-CIO, and specified local unions (the “Unions”) and the City wish to ensure labor peace at the OARB devoid of any disruption that could jeopardize the schedule and timeliness of the construction process; and

WHEREAS, the interests of the general public, the City of Oakland, the Unions and Contractors would best be served if the construction work proceeded in an orderly manner without disruption because of strikes, sympathy strikes, work stoppages, picketing, lockouts, slowdowns or other interferences with work; and

WHEREAS, the City desires to provide construction training and employment opportunities for students of and residents within the City through apprentice and pre-apprentice programs; and

WHEREAS, the City recognizes the need for safe, efficient and speedy construction in order to reduce unnecessary delays and insure timely and economical completion of the project and that this promotes the public interest; and

WHEREAS, the City in collaboration with Community-based groups and labor unions has developed a Construction Jobs Policy for Public Improvements for the Oakland Army Base (“Construction Jobs Policy”) that sets forth certain requirements regarding hiring and employment for the construction of the City’s planned public improvements for the OARB (Public Improvements) and requires Contractors participating in the construction of the Public Improvements to comply with terms of the Construction Jobs Policy as a condition of operation;

and

WHEREAS, the City wishes to advance the goals of the Construction Jobs Policy, and establish and stabilize wages, hours and working conditions for the employees employed on the project by Contractors, and further to encourage close cooperation to achieve a satisfactory, continuous and harmonious relationship among City, the Unions and Contractors; and

WHEREAS, the Project Labor Agreement secures the agreement of the City, Unions, and Contractors to be bound by the provisions of the Agreement, including mutual cooperation and compliance with the City's Construction Jobs Policy for the OARB; now, therefore be it

RESOLVED: That the City Administrator is authorized to negotiate and execute a Project Labor Agreement among the City of Oakland, the Building and Construction Trades Council of Alameda County, AFL-CIO, and specified local unions governing the construction of the Public Improvements at the former Oakland Army Base without returning to City Council; and be it

FURTHER RESOLVED: Contractors participating in the construction of the Public Improvements shall be required to be signatories to the Project Labor Agreement; and be it

FURTHER RESOLVED: That the City Administrator and his or her designee is authorized to take whatever action is necessary with respect to negotiating and executing the Project Labor Agreement contemplated herein in support of the development on the former Oakland Army Base consistent with this Resolution and its basic purposes; and be it

FURTHER RESOLVED: That, prior to execution the City Attorney must approve the Project Labor Agreement as to form and legality, and a copy shall be filed with the City Clerk.

OCT 30 2012

IN COUNCIL, OAKLAND, CALIFORNIA, _____

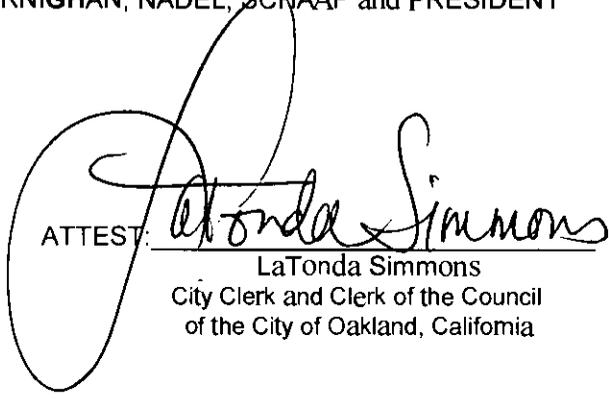
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID - 7

NOES - Brooks - 1

ABSENT - 0

ABSTENTION - 0

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California