



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: CEO/Public Works
Department No.: 012/054
For Agenda Of: September 12, 2023
Placement: Administrative
Estimated Time: n/a
Continued Item:
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors, County of Santa Barbara
Board of Directors, Santa Barbara County Flood Control and Water Conservation
Districts, Santa Barbara County Water Agency, Laguna County Sanitation District,
Santa Barbara County Fire Protection District

FROM: Department: Mona Miyasato, County Executive Officer, (805)568-3400
Director:
Contact Info: Scott D. McGolpin, P.E., Public Works Director, (805)568-3010

SUBJECT: Countywide Community Workforce Agreement Implementation

County Counsel Concurrence

As to form: Yes

Other Concurrence: General Services and Community Services

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- A. Approve and ratify the attached side letter between the County of Santa Barbara and Tri-Counties Building and Construction Trades Council for the Countywide Community Workforce Agreement; and
- B. Find that the proposed activities do not constitute a "Project" within the meaning of the California Environmental Quality Act, pursuant to 14 CCR §15378 (b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment) and 15061(b)(3), therefore no environmental document is required.

Summary Text:

This item presents an update on the implementation of the Countywide Community Workforce Agreement (CWA) following your Board's action on December 2, 2022 approving a CWA and associated actions. Implementation was scheduled to begin April 1, 2023 provided Tri-Counties Building and Construction Trades Council (TCBT) obtained all signatures from their affiliate organizations. TCBT was able to obtain most affiliate signatures by April 1, 2023 but was unable to

secure signatures from the International Union of Operators and Engineers Local 12 (IUOE) due to their concerns about specific language covered under their trade.

As a result, two options for continuing to implement a CWA were considered: 1) enter an agreement with less than all affiliates as signatories or 2) work with the IUOE on modifications to the *interpretation* of a portion of the CWA that specifically applies to their trade. The County team analyzed the options and determined that the significant complexity and potential confusion of implementing projects without 100% of affiliate signatures could lead to higher bids, additional administrative costs for projects, and the reduction in protection afforded the County by CWAs in general. Creating a side letter to address the IUOE concerns allows a more efficient CWA project delivery process. The County team worked with TCBT to create a side letter that maintains the County's authority and control over construction quality control and quality assurance while addressing IUOE concerns. Based on this side letter, IUOE has signed the CWA and the CWA is effective as of today on projects that fall within thresholds for its use. Specifically, the side letter clarifies the interpretation of the CWA with regards to contract administration language.

Background:

In April, 2019 your Board directed staff to negotiate the use of a CWA on public projects. Since then, staff negotiated with the TCBT to develop a template CWA in accordance with the direction of your Board. On February 1, 2021 your Board selected Option 1 out of four potential CWA frameworks. This Option directed staff to utilize your negotiation teams' recommended CWA, with agreement point modifications and exclusions described in that report, for future County capital projects over \$10 million and including rebid provisions. On December 2, 2022 your Board approved a CWA with a term of five years, beginning April 1, 2023, contingent on all the unions signing the CWA.

Departments with projects eligible for a CWA will work with the CEO on funding for a required CWA Coordinator and modifying project specifications and contracts to include the appropriate language and provisions. The majority of projects that will be covered by the CWA fall within General Services, Public Works and Community Services.

Attachments:

Attachment A: Side letter with IUOE

Authored by:

Chris Sneddon, Deputy Director, Transportation, (805)568-3064

cc: Tri-Counties Building and Construction Trades Council