



# Port of Seattle Diversity in Contracting PLA and Insurance PortGen Webinar & Project First Look

May 31, 2023



## **Welcome**

- Tina Boyd, Outreach Coordinator

## **Diversity in Contracting**

- Josie Regan, Sr. Administrative Asst.

## **Scope - Telecommunications Meet me Room – Fiber Project**

- Tyler Salisbury, AV Project Manager

## **Schedule - Telecommunications Meet me Room – Fiber Project**

- Nicole Osby-Evans, Contract Admin.

## **Risk & Insurance**

- Jeff Hollingsworth, Director of Risk Management
- Jacob Nunez, Risk Analyst

## **Project Labor Agreements**

- Sheri Cook, Construction Labor Manager

## **Purpose:**

Advance equity and address contracting disparities by increasing the utilization of Women and Minority Business Enterprises, and other disadvantaged firms.

## **Five-year Policy Benchmarks: (this is our 5th year)**

- Increase to 15% the amount of spend on WMBE contracts within 5 years (Baseline was 5.3%)
- Triple the number of WMBE firms doing business with the Port (Baseline was 118; Goal is 354)

## Welcome to the Port of Seattle VendorConnect

### *Important! Port Contractor/Consultant Vaccine Requirement*

**Due to the everchanging COVID-19 situation and the healthcare professional and state guidance provided, all public gatherings, such as pre-bid meetings and bid openings will be held virtually. This information will be provided in more detail as it applies to the particular requirement and interested vendors should monitor VendorConnect closely for changes.**

Port of Seattle VendorConnect provides procurement and contract information for construction, consulting, and goods and services. This is also the one stop location for registering to be on the following rosters: small works (construction less than \$300,000), consulting services, and goods and services.

To begin, you must register yourself and then find or add your business. If you were in our old system, and this is your first time logging in you must recreate your login account. To do this, click the "REGISTER/LOGIN" button below, then the "Sign up now" link on the login screen.

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[REGISTER/LOGIN](#)

You may search our solicitations, vendors, and view the event calendar as a guest.

[CURRENT AND PAST SOLICITATIONS](#)

[FUTURE SOLICITATIONS](#)

[SEARCH PUBLICLY VIEWABLE VENDORS](#)

[VIEW EVENT CALENDAR](#)

DASHBOARD > VENDOR INDEX

## Vendor Index

List of publicly viewable vendors. Use the filter for more detailed searches. You must login to add your vendor to our system.

SHOW FILTER

EXPORT TO EXCEL

Name ↑	Work Types	Business Certifications (*self-identified)	NAICS
<a href="#">Diving Blerit Marine LLC</a>	Environmental, Finishes (flooring, painting), Shoreline, Marine Construction, Electrical, Finishes - Painting, Mechanical, HVAC, Plumbing, Services-Coffee Break Supplies & Services, Community Investment		
<a href="#">1 Alliance Geomatics LLC</a>		DBE, MBE, SCS, SBE	541370 - Surveying and Mapping (except Geophysical) Services
<a href="#">1 Industrial Source LLC</a>		DBE, SCS, SBE*, WBE	423320 - Brick, Stone, and Related Construction Material Merchant Wholesalers, 423610 - Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers, 444190 - Other Building Material Dealers
<a href="#">1029 consulting, inc.</a>		SBE*, WBE*	541611 - Administrative Management and General Management Consulting Services, 541612 - Human Resources Consulting Services, 541614 - Process, Physical Distribution, and Logistics Consulting Services, 541618 - Other Management Consulting Services, 561499 - All Other

## For General Information

1. Register on VendorConnect
2. Sign on to Diversity in Contracting mailing list

## For specific projects

1. Reach out to Project Plan holders on VendorConnect
2. Become a Plan Holder on VendorConnect
3. Attend informational/pre-bid meetings

# Upcoming Event's and Training's

- ❑ SEA Aviation Industry Day | June 20 | 1pm-4:30pm | Sea-Tac Airport
- ❑ DBE Certification w/ OMWBE | June 28 | 10am-12pm, 1-3pm | Sea-Tac Airport
- ❑ Maritime Industry Day | September TBA
- ❑ Business Accelerator Program | Fall TBA
- ❑ Advanced PortGen | Fall | TBA

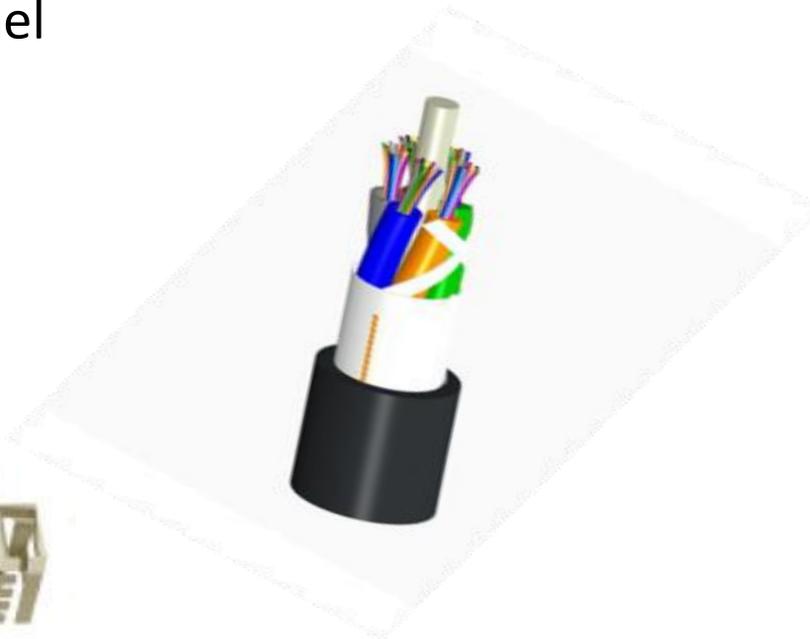
# Tyler Salisbury

Aviation | Project Manager

Telecommunications  
Meet Me Room |  
Fiber Project

# Scope Overview

- Fiber Optic cable installation
- Cable tray and Conduit
- Fiber Optic Patch Panel
- SYSTIMAX



# Project Areas

- ❑ MMR Fiber project
  - ❑ 6 cables to be installed
  - ❑ Cable length 2,000-5,500 ft
  - ❑ Main Terminal to Exterior buildings
  - ❑ \$5.5 mil (might shift a bit)
  
- ❑ Communication Enhancement
  - ❑ 32 cable to be installed
  - ❑ Cable length 250-2,900 ft install
  - ❑ Main terminal to Concourse A, B, C, D and South satellite.
  - ❑ \$3.5 mil (might shift a bit)



# Construction Areas



- Existing pathway (Tray and Conduit)
- Access from Catwalks, Lifts, and Floor
- New Tray and Conduit is required in some areas

# Construction Areas Cntd.



- ❑ Pathways use existing Comm Vault systems
- ❑ Some airfield work and landside work



# Nicole Osby- Evans

Contract Admin | CPO

Telecommunications  
Meet Me Room | Fiber  
Project

# Target Procurement Schedule

- Tentative Advertisement – *August 31, 2023*
- Tentative Prebid Meeting – *September 6, 2023*
- Tentative Bid Opening – *October 2, 2023*

## **WMBE Goal – *TBD***

- Firms may be certified or self-identified as a WMBE

## **Where to find Firms**

- <https://omwbe.diversitycompliance.com>
- Vendor Connect (Port of Seattle)

## **How to Meet the Goal**

- Identify all firms and scope at the time of bid
- Commit to percentage and identifying firms after award
- Combo of identifying firms/scope at time of bid and committing to the remaining allocation of work (%) after award

- ❑ Register on VendorConnect
- ❑ Be aware of the procurement schedule
- ❑ Attend the pre-bid meeting
- ❑ **Pre-Advertisement Questions?** [Osby-Evans.n@portseattle.org](mailto:Osby-Evans.n@portseattle.org)
- ❑ **Post-Advertisement Questions?** Submit through Telecom Meet Me Room – Fiber Project on VendorConnect

Jeff Hollingsworth

Director | Risk Management

Jacob Nunez

Risk Analyst

Risk

Management

Issues

Indemnity = Security against damage, loss, or injury.

- ❑ Terms contain an indemnity clause that consultants and contractors need to understand.
- ❑ Different versions on personal terms versus professional terms
- ❑ Important for consultants to understand the meaning of the indemnity
- ❑ Email- [Hollingsworth.j@portseattle.org](mailto:Hollingsworth.j@portseattle.org)

## Typical Insurance Coverages Required

- Auto
- General liability
- Errors and omissions

## Required Documentation

- Certificates of insurance
- Policy endorsements

## Limits of Coverage Required (in Dollars)

## Safety plans required

- If work involves being on site to perform scope
- If work involves elevated surfaces, electrical, or hazardous materials
- Work on water (to include inspection)

## Safety Orientation

- Prior to work on site
- Port Construction Safety Management

## Limits of coverage for Sub-Contractors

- New approach of tiering based on construction value
- Initiative to make insurance less of a barrier
- Review contract terms to determine proper limits needed

- c) Sub-Contractors performing work at a construction value of more than \$10 million will need to carry the same limits as the prime contractor.
- d) Sub-Contractors performing work at a construction value of \$10 million or less but more than \$5 million shall maintain insurance limits of not less than \$2 million per occurrence and \$4 million in the aggregate.
- e) Sub-Contractors performing work at a construction value of \$5 million or less but more than \$2 million shall maintain insurance limits of not less than \$2 million per occurrence and \$2 million in the aggregate.
- f) Sub-Contractors performing work at a construction value of \$2 million or less but more than \$1 million shall maintain insurance limits of not less than \$1 million per occurrence and \$2 million in the aggregate.
- g) Sub-Contractors performing work at a construction value equal to or less than \$1 million shall maintain insurance limits of not less than \$1 million per occurrence and \$1 million in the aggregate.
- h) The Port shall be named as an additional insured, by endorsement, for all work performed by Sub-Contractors at all levels.

# Sheri Cook

Construction | Labor Manager

Project Labor  
Agreements (PLAs)

- ❑ Billions of dollars' worth of work happening in Seattle region over the next several years!
- ❑ Regional public agencies that use Project Labor Agreements (PLA's) or Community

## Workforce Agreements (CWA's):

- ❑ Washington State Department of Transportation
- ❑ Sound Transit
- ❑ Port of Seattle
- ❑ City of Seattle
- ❑ King County
- ❑ Seattle Housing Authority
- ❑ Seattle Public Schools

# What is a Project Labor Agreement (PLA)?

- A pre-hire collective bargaining agreement between the owner (e.g. the Port of Seattle) and the building trades
- All contractors sign a Letter of Assent that binds them to the terms and conditions of the PLA
- Establishes uniform work rules
- Wages tied to Collective Bargaining Agreement (CBA)
- Establishment of Labor/Management committees
- Prohibits strikes, lockouts or slowdowns
- Includes targeted hiring goals
- All workers dispatched through union hall
- Improved worker safety with mandatory drug testing

# What kind of projects use PLAs?

- PLA assumed for construction contracts > \$5 million
- Other considerations include:
  - Labor costs
  - Complexity of project
  - Impacts of delays
  - Collective bargaining agreements expiring during the construction

# Benefits of a Project Labor Agreement

- ❑ Uniform working conditions
- ❑ Grievance Process
- ❑ Prohibits strikes and slowdowns
  - In Critical Airport Operations Areas (AOA) /Runway projects

# Construction Labor Group Services

- Contractor certification training
- Construction labor relations and dispute resolution
- Provide Field compliance management & pre-grievance mediation
- Present PLA information at pre-bid/pre-con meetings
- Wage enforcement
- Provide contractor assistance on PLA matters
- Interpret the PLA
- Partner with Labor Relations in negotiating new Project Labor Agreements, Letters of Understanding (LOU's), amendments
- Manage the Port of Seattle Substance Abuse Program
- Manage the Priority Hire program and Apprenticeship Program
- Review PLA determination with Project Managers at 90%
- Provide outreach to small contractors regarding PLA process
- Facilitate all Labor Management Meetings with union/contractors

# Contractor Requirements

- Attend Port PLA pre-con training
- Sign a Letter of Assent
- Submit pre-job paperwork & attend pre-job meeting with labor unions
- Dispatch all workers
- Wages tied to Collective Bargaining Agreement (CBA)
- Make trust funds payments
- Electronic Payroll
- Mandatory drug testing
- Hire priority hire workers
- Apprenticeship goals

# Workforce Requirements

- ❑ Minimum state apprenticeship utilization goal of 15% per craft
  - ❑ Minority apprentice - 21% of the total apprentice training hours
  - ❑ Female apprentice - 12% of the total apprentice training hours
  - ❑ Preferred Entry – 1 of each 5 pre-apprentice
  
- ❑ Priority Hire program: (Non-FAA PLA Projects)
  - ❑ Support access to good family wage jobs to qualified construction workers from Economically Distressed Areas
  - ❑ Priority Hire – 20% goal
  
- ❑ Criteria for determining zip codes. Looked at the density of:
  - ❑ People living under 200% of Federal Poverty
  - ❑ Unemployment
  - ❑ Those with no college degree

# Pre - Job Conferences

- All contractors:

- Sign a Letter of Assent, a commitment to abide by the PLA
- Submit pre-job paperwork and attend pre-job meeting with labor unions at least 2 weeks prior to starting work

- Pre-job conferences include:

- Description of work
- Crafts assigned to perform work (jurisdictional assignment)
- Equipment/tool use
- Documentation of Open Shop core workers

# Drug Testing

- ❑ Drug testing:
  - ❑ All workers performing work in support of the project must be drug tested
  - ❑ The Port of Seattle takes the federal stance on marijuana
  - ❑ Third party collector
  - ❑ Provide random/return to work/post-accident/pre-employment testing including alcohol breathalyzer

# Core Workers

- All workers are dispatched through union hiring hall, including open-shop contractor core workers
- Up to 5 core workers are allowed to work using an alternating basis
- Qualifications for core employee must meet the following:
  - Any license required by state or federal law
  - Have worked at least 1,200 hours in the craft during the prior 2 years
  - On the contractor's active payroll for at least 60 out of 90 calendar days prior to the contract award
  - Ability to perform the work safely
- Trust benefit payments shall be paid on all employees

# Wages and Trust Payments

- Negotiated an agreement that all wages are to be paid in accordance with the applicable current Collective Bargaining Agreement
- Contractors must report hours and pay into a union trust fund on behalf of all workers, including core workers



Collective  
Bargaining  
Agreement

- Where a PLA is silent, revert back to CBA
- Ask GC if the project is a PLA
- Obtain a copy of the CBA at bid time
- Submit electronic payroll, weekly
- Stay up-to-date on trust payments
- Monitor workforce performance regularly
- Read the PLA thoroughly
- Call us! We are happy to assist!

# Current Challenges

- ❑ Regional construction boom. Not enough workforce
- ❑ PLA requirements can be a burden on small businesses
- ❑ Port is not involved in General Contractor (GC) bids for subs so be sure to ask if the project is a PLA

**Port will be re-negotiating its 5-Year PLA this year.**

## Central Procurement

- Nicole Osby-Evans | [osby-evans.n@portseattle.org](mailto:osby-evans.n@portseattle.org)

## Risk Management

- Jeff Hollingsworth | [hollingsworth.j@portseattle.org](mailto:hollingsworth.j@portseattle.org)
- Jacob Nunez | [nunez.j@portseattle.org](mailto:nunez.j@portseattle.org)

## AV Project Management Group

- Tyler Salisbury | [Salisbury.t@portseattle.org](mailto:Salisbury.t@portseattle.org)

## Construction Labor Group

- Sheri Cook | [Cook.s@portseattle.org](mailto:Cook.s@portseattle.org)

# Diversity in Contracting Staff

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Lisa Phair | DBE Program Manager | [phair.l@portseattle.org](mailto:phair.l@portseattle.org)

Emily Ho, Training & Outreach Manager | [ho.e@portseattle.org](mailto:ho.e@portseattle.org)

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Yared Belete | Diversity Coordinator | [belete.y@portseattle.org](mailto:belete.y@portseattle.org)

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