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Critical

EXPLANATION: CONSTRUCTION CONTRACTS BIDDING AND AWARDS (Project Labor Agreements)

MSBA recommends that districts REMOVE this procedure. Senate Bill 182 (2017) prohibits governmental entities like school districts from entering into project labor agreements, so this procedure is no longer necessary.

MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

	Board Secretary	X	Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources		Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation		Public Info/Communications		Technology

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~~CONSTRUCTION CONTRACTS BIDDING AND AWARDS~~ ~~(Project Labor Agreements)~~

The following procedures will govern project labor agreements for construction projects in the Platte County R-3 School District. As used in this procedure, a project labor agreement is an agreement contingent on labor union affiliation.

~~Project Labor Agreements Where More Than 50 Percent of the Funds Come from the State~~

When the district is engaged in procuring or letting contracts for construction of a project where 50 percent or more of the funds come from the state of Missouri, the district will:

- ~~1. Neither require nor prohibit bidders, offerors, contractors or subcontractors from entering into or adhering to agreements with one or more labor organizations on the same or related projects.~~
- ~~2. Not discriminate against bidders, offerors, contractors or subcontractors for entering into or refusing to enter into or otherwise adhere to agreements with one or more labor organizations on the same or related construction projects.~~

~~Project Labor Agreements Where 50 Percent or Less of the Funds Come from the State~~

The district may enter into a union-only project labor agreement for the procurement of construction services on a project-by-project basis if 50 percent or less of the funds come from the state. In order to enter into a union-only project labor agreement under this policy, the district will analyze the impact of a union-only labor agreement and consider whether the union-only labor agreement:

- ~~1. Advances the interests of the district and the citizens of the district.~~
- ~~2. Is appropriate considering the complexity, size, cost impact and need for efficiency on the project.~~
- ~~3. Impacts the availability of a qualified work force.~~
- ~~4. Has a business justification for the project as bid.~~

After considering and analyzing these factors, the district will publish its findings in a document titled "Intent to Enter into a Union Project Labor Agreement." This document will establish a rational basis upon which the district bases its intent to require a union-only project labor agreement for the project.

Public Hearing

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~~No fewer than 14 days, but not more than 30 days, following publication of the notice of a public hearing, the district will conduct a public hearing on whether to proceed with its intent to require a union-only project labor agreement. Within 30 days of the public hearing, the district will publish its determination on whether to require a union-only project labor agreement.~~

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~~*Note: The reader is encouraged to review policies and/or forms for related information in this administrative area.*~~

~~Implemented: 10/16/2008~~

~~Platte County R-3 School District, Platte City, Missouri~~