



Councilmember Zachary Parker

AN AMENDMENT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DATE: May 2, 2024

OFFERED BY: Councilmember Zachary Parker

TO: B25-0469, the “Revised Project Labor Agreement Cost Threshold Amendment Act of 2024”

VERSION:

- Introduced
- Committee Report
- Committee Print
- First Reading
- Amended First Reading
- Engrossed
- Enrolled
- Amendment in the Nature of a Substitute

Amendment

Sec. 2. Section 606(a)(3) of the Procurement Practices Reform Act of 2010, effective October 8, 2016 (D.C. Law 21-158; D.C. Official Code § 2-356.06(a)(3)), is amended to read as follows:

(a) Subsection (a)(3) is amended to read as follows:

“(3) The total construction costs, not including planning or ongoing operations and maintenance, of the contract is anticipated to be \$50 million or more.”.

(b) Subsection (b) is amended by adding new paragraphs (6) and (7) to read follows:

“(6) Outline a plan that details how expenditures of the construction project will support the District’s Certified Business Enterprise and Equity Impact Enterprises;

“(7) Outline a diversity plan that details efforts and commitments to conduct outreach and recruitment for employment and apprenticeship positions on the construction project for minority group members, members of disadvantaged communities, and women.”.

Rationale

48 This amendment seeks to address concerns raised by members during the Council’s last
49 legislative meeting about the potential of negatively impacting the District’s Certified Business
50 Enterprises (CBEs) and Equity Impact Enterprises (EIEs) by lowering the District’s Project Labor
51 Agreement law threshold from \$75 million to \$50 million. The bill’s Racial Equity Impact
52 Assessment (REIA) is clear that “[r]esearch on project labor agreements and their impacts on racial
53 equity or inequity is mixed and limited.” The REIA also cites that recent PLA-covered construction
54 projects have involved more minority- and women-owned businesses than anticipated. The REIA
55 was also clear that training, mentoring, and apprenticeship opportunities—all of which the
56 construction trades provide—are tools for increasing opportunities for CBE/EIEs on public
57 construction projects. Even still, while there is no evidence that the concerns raised by some
58 members have played out in practice, this amendment will require project labor agreements, agreed
59 to pursuant to Section (b) of § 2–356.06, to 1) specifically outline how the construction project
60 will benefit the District’s Certified Business Enterprise and Equity Impact Enterprises and 2) create
61 a plan for and thereafter specific outreach to employment and apprenticeship positions on the
62 construction project for minority group members, members of disadvantaged communities, and
63 women.
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