



DATE: February 25, 2025

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 4 to the Agreement with Workforce Integrity and Training Solutions, LLC for Labor Compliance Coordination Services in the Amount of \$200,000 for a Total Not-To-Exceed Amount of \$572,000 and for Extension of the Agreement to December 31, 2027

RECOMMENDATION

That City Council adopts a resolution (Attachment II) authorizing the City Manager to execute Amendment No. 4 with Workforce Integrity and Training Solutions, LLC (WITS) in the amount of \$200,000 for a total not-to-exceed (NTE) amount of \$572,000 and for an extension of the agreement end date to December 31, 2027.

SUMMARY

Community Workforce Agreements (CWA) are common in the construction industry to assure that labor issues related to major construction projects are minimized and to help accomplish local hiring and apprenticeship goals. In April 2015, Council directed staff to negotiate and execute a CWA with the Alameda County Building Trades Council (BTC) for the 21st Century Library. In February 2016, Council directed staff to create a “Citywide” CWA that could be applied to a broader scope of projects within the community. To comply with the CWA and provide labor compliance coordination services, the City entered into an agreement with WITS in 2021. The agreement expired on December 31, 2024. Staff is recommending increasing the agreement by \$200,000 and extending it through December 31, 2027 for continued oversight on major projects, including the Water Resources Recovery Facility Phase 2 (WRRF) Headworks Rehabilitation, the annual Pavement Improvement Program (PIP), La Vista Park and others.

BACKGROUND

In April 2015, Council directed staff to negotiate and execute a CWA with the BTC for the 21st Century Library. In February 2016, Council directed staff to create a “Citywide” CWA

that could be applied to a broader scope of projects within the community. To comply with the CWA and provide labor compliance coordinate services, the City released a Request for Proposal (RFP) and entered into an agreement with WITS in 2021 for \$72,000. On April 19, 2022, Council adopted Resolution No. 22-081 which authorized Amendment No. 1 increasing the agreement to a NTE amount of \$172,000 and expiration date of December 6, 2022. On December 6, 2022, Council adopted Resolution No. 22-293 which authorized Amendment No. 2 increasing the agreement to a NTE amount of \$372,000 and expiration date of December 31, 2023. On March 25, 2024, the City Manager executed Amendment No. 3 extending the effective date of the agreement to December 31, 2024.

DISCUSSION

Administration of the CWA requires staff resources. It was proven more efficient to use WITS for these purposes. The concern is the administrative burden on the City's project managers for implementing and closely monitoring the agreement. While a staff position was created to implement and monitor the CWA, it remains vacant. WITS provides labor compliance coordination services and has done so since 2020. WITS has assisted with the WRRF Headworks Rehabilitation, Mission Blvd. Phase 3, the FY23 & FY24 PIPs and other projects and is able to assist with upcoming projects such as the FY25 PIP, La Vista Park, and Annual Water and Sewer Line Replacement Projects.

ENVIRONMENTAL REVIEW

This item and action is statutorily exempt from environmental analysis under the California Environmental Quality Act (CEQA) since it is not a project. CEQA Guidelines, Section 15378(b)(5) states that a project does not include "organization or administrative activities of governments that will not result in direct or indirect physical changes in the environment." CEQA reviews will be completed separately for individual Public Works' projects subject to the Citywide CWA.

FISCAL IMPACT

This item will be funded through the Capital Improvement Program (CIP) project budgets that are recommended to comply with the City's CWA. Budgets have been appropriated through the Adopted FY25 CIP. This item will have no impact on the General Fund.

STRATEGIC ROADMAP

This item is a routine operational item and does not directly relate to the Council's Strategic Roadmap.

SUSTAINABILITY FEATURES

This item has no sustainability features.

PUBLIC CONTACT

No public contact has been made related to this item.

NEXT STEPS

If approved, the City Manager will execute Amendment No. 4 to the agreement with WITS to increase the contract amount to a NTE amount of \$572,000 and extend the end date to December 31, 2027.

Prepared by: Michael Wolny, Management Analyst
Kathy Garcia, Deputy Director of Public Works

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Dr. Ana M. Alvarez, City Manager