

# Congress of the United States

Washington, DC 20515

September 23, 2011

The Honorable Ray Mabus  
Secretary of the Navy  
1000 Navy Pentagon  
Washington, DC 20350-1000

Dear Secretary Mabus:

We are writing you today regarding the Explosives Handling Wharf II project at Naval Submarine Base Bangor in the State of Washington. Specifically, we are requesting the use of a project labor agreement during the construction of this new facility.

As you know, in February 2009, President Obama issued Executive Order (EO) 13502 that encourages executive agencies to consider the use of project labor agreements (PLA) in connection with large-scale construction projects over \$25 million. As ordered under EO 13502, government agencies can require contractors to use PLAs for large-scale federal construction projects when use of such an agreement can advance the Federal Government's interest in achieving savings and efficiency in federal procurement.

In February 2011, Naval Facilities Engineering Command established a policy memo referencing EO 13502 and revisions to Federal Acquisition Regulation (FAR) 7.1 that encourages agency planners to consider PLAs for construction projects of \$25 million or more as defined in FAR 22.5. As part of this process, the Contracting Officer is required to prepare a decision memorandum for all construction projects \$25 million and above, addressing whether or not the particular project satisfies the criteria.

A PLA is a benefit to both employers and employees. It provides a single collective bargaining unit which allows for easier management of a project. A PLA sets the terms and conditions of employment for all workers on site, including work conditions and rules. In addition, a PLA prohibits strikes and work stoppages. In the absence of a PLA, contractors do not compete on the basis of whom best can train, equip and manage a construction crew and project. Instead, they compete on the basis of who can find the cheapest workers which does not ensure a quality project finished on time.

PLAs create a business model that is explicitly structured to protect and support the local community, workers, and wage standards to ensure that taxpayers receive the best quality product for their money on a public project. When our government invests taxpayer dollars, we should expect the best product or services possible and that it be completed on time and with the least disruption to the community as possible. We believe project labor agreements give us the best chance of achieving those expectations.

We would appreciate knowing if any analysis has been completed regarding the use of a PLA on the Explosives Handling Wharf II project at Naval Submarine Base Bangor as well as the next steps involved in its potential implementation.

Thank you for your consideration on this important project.



PATTY MURRAY  
United States Senator

Sincerely,



MARIA CANTWELL  
United States Senator



NORM DICKS  
Member of Congress



JAY INSLEE  
Member of Congress