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Grayson Journal-Enquirer
Olive Hill Times

School board finally awards bids for Tygart Elementary (<http://journal-times.com/local/x1894468200/School-board-finally-awards-bids-for-Tygart-Elementary>)

By Leeann Akers - Staff Writer
CNHI (<http://journal-times.com>)

12-8-10 — The third time was a charm for contractors and the Carter County Board of Education's efforts to build the new Tygart Creek Elementary School.

The board approved the bids for the \$11.6 million school, awarding the project to nine subcontractors.

J&H Reinforcing & Structural Erectors had the lowest bid for the construction at \$4,698,000. Huston Barger Masonry will do the masonry work at just over \$1.5 million. The roof came in at \$770,148 and will be done by Kerkan Roofing.

Other subcontractors include Doug's Glass and Glazing, Cornerstone Interiors, Tag Coatings, Landmark Sprinkler, Frei Plumbing, and JMK Electric. The project is slated to break ground in January.

JMK is the only Carter County-based company slated to work on the project.

The school district's finance officer, Jerry Lyons, says it will cost an additional \$3 million to equip and furnish the new school.

"Right now, we are at the mercy of the weather, but we just didn't have a choice," Lyons said. "There have been some legal issues and other difficulties that we had to deal with. "

Tygart Creek Elementary was bid twice earlier but bids exceeded available funding. The project also was delayed in a dispute over whether or not to require contractors to hire only union members.

The new school will be located on U. S. 60, west of Olive Hill. Trace Creek Construction, Inc., of Vanceburg is the construction manager.

The school board has announced that five schools met the federal No Child Left Behind Act goals. Prichard, Carter, Star, and Upper Tygart elementary schools, as well as West Carter Middle School, were given plaques to celebrate the achievement.

Members of the district's Local Planning Committee also were approved. The LPC is comprised of 20 administrators, educators, parents and community members. It will determine how the Board of Education will spend its capital construction funds for the next four years.

It was reported that the site selection committee for the new Carter Elementary had narrowed the list down to four possible locations. The Board will decide which site to begin surveying at its Dec. 16 meeting.

“The evaluation process will consist of geotechnical and topographical surveys and a highway consultant for a legal and safe entrance location,” Lyons said. “It will cost about \$30,000 to evaluate the site which is why we need to limit the choice to just one.”

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School board rescinds PLA after latest Tygart bids rejected (<http://journal-times.com/local/x1305240192/School-board-rescinds-PLA-after-latest-Tygart-bids-rejected>)

Journal-Times (<http://journal-times.com>)

Oct. 8, 2010 — By a vote of 3-1 at a special meeting last week, the Carter County Board of Education rescinded a controversial “project labor agreement” (PLA) that had resulted in a lawsuit which threatened to further delay construction of the proposed Tygart Creek Elementary School.

Voting to rescind the agreement were board members Randy Stegall, David Jessie, and Chris Patrick. Voting “no” was Bryan Greenhill. Robert Flaughter was absent.

The action came a week after the school district failed for the second time to receive construction bids within the current \$12 million scope of the project. The latest bids exceeded estimates by about \$1.1 million. When first advertised in late 2009, low bids were more than \$2 million too high.

The labor agreement was originally approved by the school board on May 17. It resulted in a lawsuit against the board last month by the Associated General Contractors of Kentucky, based in Louisville, and JMK Electric of Grayson, and its owner, Robert Newland.

“We are satisfied that the best interests of all concerned will be served by the school board’s decision and that the lawsuit will be dropped and the new school can be built as planned,” said Steven L. Burton, business manager of the Tri-State Building and Construction Trades Council, AFL-CIO.

He said his organization soon would be issuing a detailed public statement concerning the situation.

Chris Oney of the National Alliance for Fair Contracting, a union-backed group that monitors the business practices of contractors, said of the board’s action:

“We came to a mutual decision that going ahead with the construction of this school to better serve kids was more important than fighting over the lawsuit and again delaying the project.”

Oney and representatives of the Tri-State Building and Construction Trades Council had encouraged the board since last winter to adopt the PLA as a means of guaranteeing well-

paying jobs for local construction workers.

In the lawsuit, AGC, JMK and Newland contended that the agreement was designed to force all workers into a union and to exclude non-union contractors from bidding on the project.

The school board's attorney, Jeffrey Scott, was authorized to file a motion in Franklin Circuit Court for dismissal of the lawsuit.

Carter County Schools Supt. Darlene Gee said she is hopeful the project can be bid a third time at a reduced scope of about \$10.5 million. Depending on bids and weather, the building could be finished as early as January 2012, she added.

To be located on U.S. 60 about two miles from the existing Upper Tygart Elementary, the new facility would house about 450 students from pre-school through fifth grade. Those students currently attend Upper Tygart and Olive Hill elementaries.

Tygart Creek Elementary would have more than 50,000 square feet of floor space and would allow the school district to stop using the old Olive Hill elementary for pre-school programs, according to Gee.

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Local PLAs bite the hand feeding the beast

By Jim Waters

Prejudice at the lunch counter may have disappeared, but other types of discrimination remain alive and well in America – and have surprising supporters.

For example, President Barack Obama signed an [executive order](#) last year creating Project Labor Agreements (PLAs) on large public-construction projects.

Labor unions love PLAs. They impede non-union contractors by forcing them to change their entire approach to business – no matter how successful their operations – if they want to compete for PLA jobs.

PLA agreements often require non-union workers to join unions, be hired through union halls, pay union dues and they or their companies must donate to union pension funds — even though they will never benefit from such “contributions.”

“These are blatantly discriminatory rules against non-union shops,” wrote Michael Thompson, president of the Thomas Jefferson Institute for Public Policy.

The discrimination is widespread, since – according to the Bureau of Labor Statistics – 85 percent of construction workers don’t belong to a union.

Shouldn’t America’s first black president be especially sensitive about such unfairness?

The most famous PLA racket to date — uncoincidentally the most expensive highway project in America’s history — was Boston’s “Big Dig” project. It replaced Boston’s six-lane elevated Interstate 93 and included a tunnel under the harbor. The project, initially estimated at \$2.2 billion, ended up costing more than \$14 billion.

Kentucky’s local Big Labor lackeys, uh, I mean, “politicians” salivate at the chance to reduce competition for big ticket, local school-construction projects and steer the work toward their union pals.

Associated General Contractors of Kentucky [filed suit](#) after the Carter County school district signed a PLA with a union group for construction of a new \$10 million [Tygart Elementary School](#).

The association is defending its hundreds of member companies, which would get shut out of contracts before any bids were even accepted. It also sees as unfair the fact that some school-board members who voted to approve the deal with the Tri-State Building and Construction Trades Council are members of the 14 unions that form the council.

Can anyone say “conflict of interest?”

Perhaps the worst discrimination involves local companies.

When the Tygart project was first bid, JMK Electric Co. LLC in Grayson – which has worked on Carter County school projects for a quarter-century – offered a bid “more than \$200,000 lower than the lowest bid,” said Kelly Newland, who along with brother Bob Newland, owns JMK.

“We are Carter County residents,” said Kelly Newland. “We are property owners. Me and my family pay our taxes here.”

Yet if this PLA stands, his company gets shut out — unless it agrees to union scales.

The school board’s PLA vote “just knocked us off our feet,” Newland said. “I was so intimidated by the 50 or 60 union members that showed up with their (union agents).”

The civil rights movement was as much about eliminating such intimidation as it was ending discrimination. The two go hand in hand – in both the civil rights and the “labor rights” movements.

Do we really want policies that discriminate against local companies whose owners and employees pay taxes that support the school district that bids out the project?

Do we really want labor agreements that add millions to new school buildings just because a minority of the construction industry doesn’t want to compete?

Martin Luther King Jr. once dreamed his children would “live in a nation where they will not be judged by the color of their skin, but by the content of their character.”

We’ve gotten rid of prejudice at the lunch counter. Now, let’s do the same in the workplace by judging workers based on their skills rather than their union status.

— *Jim Waters is vice president of policy and communications for the Bluegrass Institute, Kentucky’s free-market think tank. Reach him at jwaters@freedomkentucky.com. Read previously published columns at www.bipps.org.*