



# The Monitor

RAISING THE BAR BY MONITORING THE CONSTRUCTION INDUSTRY

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## Bipartisan Support to Modernize America's Infrastructure

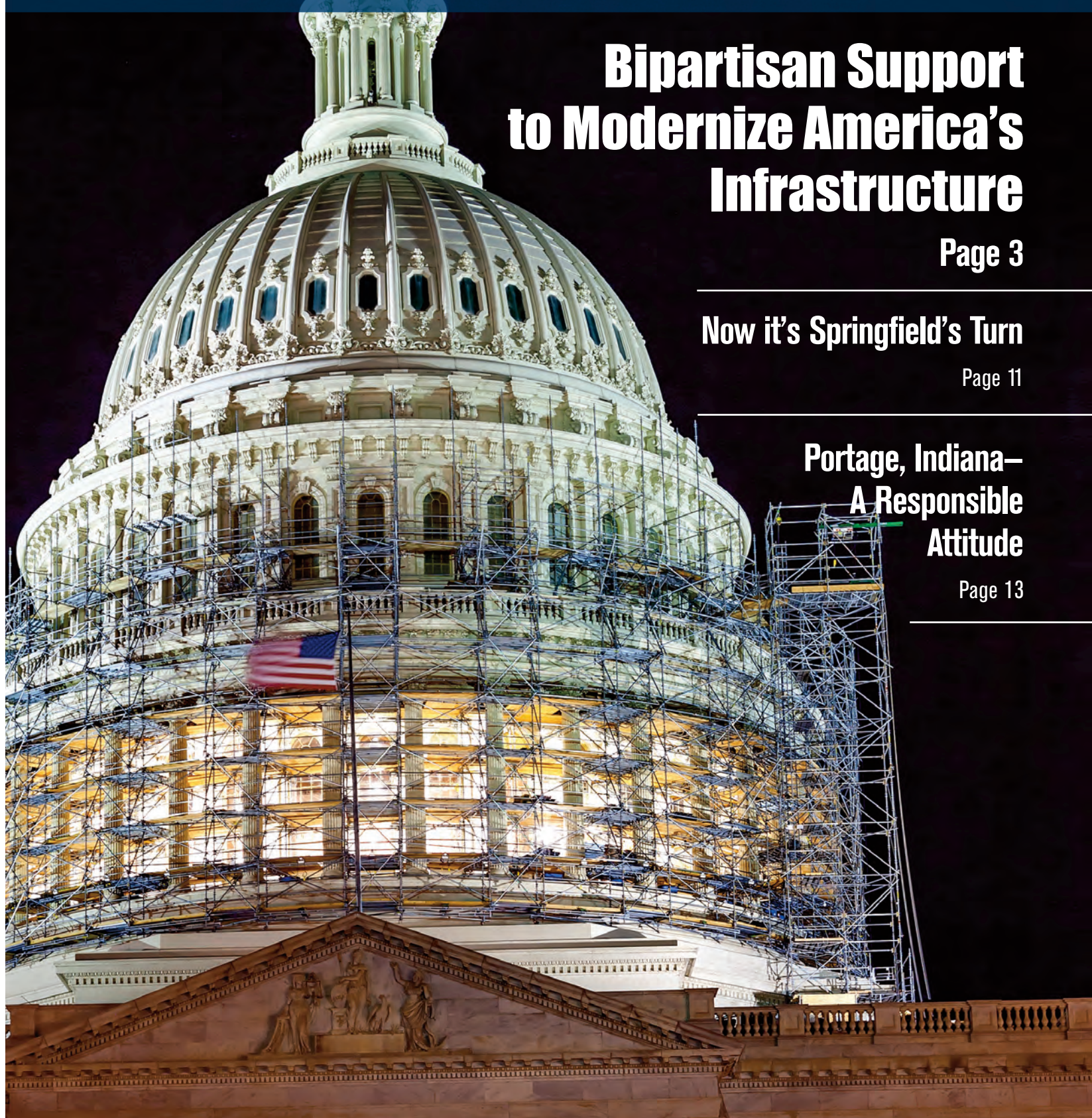
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# The Monitor

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## INVESTING IN AMERICA'S FUTURE

# Bi-partisan Congress Agrees to Modernize U.S. Infrastructure

Every single American depends on the nation's transportation infrastructure, which is rapidly deteriorating. Investing in repairing and rebuilding our transportation system is vital to the livelihood of the middle class, as well as construction companies and construction workers across the United States. The transportation market is rapidly changing and future generations of Americans deserve better than to inherit inadequate infrastructure. Despite the intrinsic role transportation plays, it was not until recently that Congress came to terms with the notion that we cannot keep neglecting our infrastructure problems.

In November, the U.S House of Representatives passed a multi-year transportation bill with bipartisan support known as the Surface Transportation Reauthorization and Reform Act of 2015. This bill was a multi-year, fiscally responsible bill that would improve our nation's infrastructure, maintain a strong commitment to safety, and bring forth innovation to make our transportation system more efficient.<sup>1</sup> After years of short-term extensions, passing a comprehensive program is an achievement for Americans across the nation.

Over 100 amendments to the transportation bill were considered. One amendment sponsored by Rep. Steve King from Iowa would have stripped the Davis-Bacon Act from the bill, which has ensured the payment of local prevailing wages and benefits on federally-funded construction projects for nearly 85 years. The amendment was defeated by a vote of 238–188 with 54 Republicans joining with 184 Democrats to block the measure. All 18 members of the Illinois Congressional Delegation, Republicans and Democrats, voted unanimously against this measure.

The Senate passed a similar bill to modernize America's infrastructure and transportation system, known as the DRIVE Act (Developing a Reliable and Innovative Vision for the Economy). This bill was a six-year highway authorization plan that would allow planning for important long-term projects around the country, and provided three years of guaranteed funding for the highway trust fund.<sup>2</sup> The fundamental objective is to reverse the trend of short-term



**After years of short-term extensions, passing a comprehensive program is an achievement for Americans across the nation.**



transportation fixes and give state and local governments the ability to develop our nation's transportation and public transit infrastructure.

Through implementing these long-term solutions, America will prosper through job creation, boosting our economy, and keeping America competitive in the global market. The main components of

the bill reauthorize the federal aid highway program that increase the amount of money states would receive each fiscal year, while also prioritizing bridges.

After months of negotiations, and a bipartisan conference effort on these two bills, Congress passed a comprehensive plan to strengthen America's infrastructure. President Obama signed into law the FAST Act (Fixing America's Surface Transportation) just before the short term extension expired. Through bipartisan support for the FAST Act, our legislators are demonstrating the right mindset by working to strengthen our country's infrastructure, which will only help our small businesses and the middle class. ■

1. Visit <http://transportation.house.gov/strr-act/> for information about the House bill.

2. Visit <http://www.epw.senate.gov> for information about the Senate bill.





LETTER  
FROM THE  
**Executive  
Director**

Marc R. Poulos

**The Hoosier  
state is a  
prime example  
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and bridges  
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## Inadequate Infrastructure in Indiana

**W**hile there is a broad consensus that investments in infrastructure play a significant role in job creation, the Hoosier state is a prime example of neglect as Indiana's roads and bridges are in a state of complete disarray. According to a report by Transportation of America, Indiana ranks twenty-sixth on the list of states with the most structurally deficient bridges across the nation. To put in perspective the alarming state of Indiana's infrastructure problems, roughly 10% of Indiana's bridges are structurally deficient, with a total of 1,944 in the state.<sup>1</sup> The American Society of Civil Engineers estimates that in Indiana's current state, \$21.3 billion will need to be invested over the next 15 years. Under the current administration, the Hoosier state is not on track to implement the necessary measures needed to bring Indiana up to speed on infrastructure standards.

Residents of Indiana are well aware that their roads and bridges are in critical condition. To address this issue, concerned Hoosiers formed Better Roads Ahead, a broad-based movement to support investments in Indiana's infrastructure. The primary focus of this group is to help enforce responsible use of taxpayer dollars and to fund Indiana's transportation system. In an ad released earlier this year titled "Better Roads Ahead" heat was placed on Governor Mike Pence to address the serious neglect of Indiana's roads and bridges. A prime example of the unsafe conditions of Indiana's infrastructure is the Interstate 65 Bridge. Numerous accidents and two deaths occurred as a result of the structural deficiencies on the I-65 Bridge near Lafayette that is unsafe for travelers to use.

With two billion dollars in reserves, it is critical that

money be used to repair Indiana's roads and bridges. After pressure to address the serious safety issues revolving around Indiana's infrastructure, Governor Pence announced that he would be allocating one billion in new funding for roads and bridges over the next four years. Governor Pence's plan is called the 21st Century Crossroads Plan. Pence stated, "While our bridges are currently rated above the national average of 94 percent in fair or better condition, this plan would further improve Indiana's bridges to 97 percent and our roads to 94 percent fair or better."<sup>2</sup> The statistics cited by Governor Pence are questionable considering the proposal provides no funding for locals to rehabilitate their roads and bridges. Funding for the proposal would come from a variety of sources such as "spending \$241 million of the state's \$2.1 billion budget reserve, using bonds to borrow an additional \$240 million, [and] refinancing existing bonds to save \$26 million."<sup>3</sup>

While it is progress that Governor Pence is acknowledging that Indiana's infrastructure needs serious attention, his plan does not provide the resources to improve many of Indiana's primary roads and bridges.

It is time Indiana gets serious about funding its infrastructure.

1. Visit <http://www.infrastructurereportcard.org> for information on Indiana's infrastructure report card.

2. Visit <http://www.indystar.com> for information on Governor Pence's 21st century plan.

3. *Ibid.*

# Lawndale Christian Legal Center Partners with MAC House and IUOE, Local 150 to Launch Housing and Union Placement for Young Adults

**N**ext time you're driving through highway construction, look out your window for an LCLC young adult operating a piece of heavy equipment for IUOE Local 150.

Lawndale Christian Legal Center (LCLC) is excited to announce a new partnership with MAC House and IUOE Local 150 to provide four to six young adults between the ages of 18 and 24 with stable housing, supportive social services, and specialized IUOE Local 150 training to operate heavy equipment.

With the basic need for stable housing met, participants will reach for the moon as they complete various trainings and apprenticeships to operate heavy equipment for the IUOE Local 150. As they work hard to break the cycle of poverty and unemployment gripping the North Lawndale community, they will also be supported with social services that include case management, mentoring, and mental health counseling.

Untangling from the criminal justice system is a difficult process for anyone. It is even more difficult for those who are homeless and unemployed. Housing instability and unemployment are risk factors for criminal justice system involvement and profoundly impact a young person's ability to succeed, particularly if they have to simultaneously juggle conditions of probation or parole.

LCLC, MAC House, and IUOE Local 150 intend to do something about this.

MAC House provides safe housing for individuals and families, so that with guidance and support, they can flourish. Under the directorship of Maggie Connelly, MAC House has provided nearly 40,000 safe nights for individuals in their homes. MAC House founder Jack Connelly says, "We are very excited to partner with Lawndale Christian Legal Center and work with Lawndale youth seeking apprenticeships in the union trades. LCLC's reputation for representing those in greatest need, with great competence and care, is well established."

IUOE Local 150 is a robust union with 23,000 members and an "earn while you learn" apprenticeship program that pays members to work while they advance from apprentice to journeyman operating engineers. A 300-plus acre training facility located in Wilmington, IL, boasts 342,000 square feet of space housing an indoor training area, almost 200 pieces of heavy equipment, 30 classrooms, construction material testing lab, state of the art welding facility, equipment simulator



**Untangling from the criminal justice system is a difficult process for anyone. It is even more difficult for those who are homeless and unemployed.**

lab, a 200-seat auditorium, and much more.

This year, LCLC completed a three-year Strategic Plan that identified Workforce Development as the organization's highest priority.

"We have seen poverty and a lack of job skills confine too many of our families to low wage jobs, forcing them to choose between legal and illegal forms of income to pay for housing, food, and other material needs," noted Cliff Nellis, LCLC Executive Director and Lead Attorney.

Developing hard-skills in trades such as welding, electrical work, and pipefitting will help our youth get into the IUOE Local 150's apprenticeship program to become journeymen operating engineers.

For more information on how you can support this program, please contact Cliff Nellis at [cnellis@lclc.net](mailto:cnellis@lclc.net).

And don't forget, the next time you are driving through highway construction, wave at an LCLC young adult operating a piece of heavy equipment. ■





Michael Lingl  
SUPERVISOR

## FOCUS ON Illinois

# The Past, Present, and Future of Public Works Projects

**A**s another year comes to an end, I cannot help but reflect on where I have been, where I am at, and where I want to be going forward.

When I started working for the Indiana, Illinois, Iowa Foundation for Fair Contracting (III FFC) in 2004, we focused solely on compliance. I have seen numerous construction violations over the years, but one of my very first cases involved the most egregious violations I've seen during my tenure.

The company in question was contracted to perform work at a wastewater treatment plant in northeast Illinois. On my first visit to the project, a worker informed me that he was being paid well below the prevailing wage for a laborer at the time. Subsequent visits showed that the same few workers were performing work across various classifications besides laborer, such as operating heavy equipment and even electrical work.

Some workers on this project had been injured on the job, and the contractor did not handle the injuries accordingly. The contractor for the project did not have the proper workers compensation coverage. Eventually the project was finished, but the public body quickly found out that the project was not done correctly. Litigation ensued and ultimately the public body had to spend an extra \$500,000 to fix the poor quality work that was initially done. The III FFC filed various complaints to help the workers who were involved on this project.

Since that time, the III FFC has sought to prevent incidents of that nature. We promote responsible bidding ordinances that hold contractors to a higher standard to get the best value for taxpayer dollars. All public



**Contractors who are bidding public works projects should be held to the highest standards before being awarded contracts with our tax dollars.**

bodies say that they award public works projects to “the lowest responsible bidder” but most fail to define that with objective criteria. Too often the emphasis is on the “lowest” part of “lowest responsible bidder.”

Given the economic hardships and budget crises, it is unders-

tandable that public bodies are trying to contain costs. However, we need to guard against turning a blind eye to bidders that should never be awarded public works projects. Contractors who are bidding public works projects should be held to the highest standards before being awarded contracts with our tax dollars.

If a contractor cannot demonstrate the proper criteria is being met for a public works project, then they should not be receiving taxpayer money. To be entitled, a contractor needs to show that the workers being used are well-trained, that it is not misclassifying employees as independent contractors, that it has the proper workers compensation and liability insurance, and that all sub-contractors meet the same criteria.

My vision going forward is that all public works projects are awarded to construction professionals and that stories where a public body has to award a second project to correct the inadequate work performed by



## ILLINOIS TOLLWAY UPDATE

By Michael Lingl

Growing up, I loved watching old western movies. One of my favorites was *The Good, The Bad and The Ugly* with Clint Eastwood. The story lines are classic and the music really sticks in my head. That movie got me thinking about the good, the bad and the ugly with the Illinois Tollway.

The good aspects of the Illinois Tollway go on and on. Projects for the Illinois Tollway have consistently pushed forward with capital improvement plans that have bettered the system and provided valuable construction jobs even in the recent recession. At a recent Illinois Tollway board meeting, the discussion centered on improvements going into 2020 and beyond. This kind of forward thinking has kept the Illinois Tollway ahead of the game.

The current Capital Plan has impacted my life in a good way. Living in the northwest suburbs of Chicago has left me in the middle of vast amounts of road construction on I-90 and the new I-390 expressways. The last couple of years have been a tough commute at times, but the amount of work completed during this stretch is absolutely phenomenal! Reading about the Capital Plan and watching it on a day-to-day basis are two completely different concepts. It is difficult to grasp the amount of work that needs to be done to complete the projects that the Illinois Tollway envisions for the future.

The I-390 project is taking the old Elgin-O'Hare Expressway to the western edge of O'Hare Airport, and connecting it to I-90 to the north and I-294 to the east. The old Elgin-O'Hare Expressway was never much of an expressway, since it only ran from Illinois 20 on the west to I-290 on the east. A string of stop lights to enter or exit

from I-290 and heavy traffic were the standard, thus making it a terrible commute for many.

During the last two years, several new bridges have been built at the intersection of I-390 and I-290 which have eliminated almost all of the stop lights and have opened up traffic in that area. In early November, a third lane was finally opened on I-390. Normally during either the morning or afternoon rush hour there would be long delays to travel on I-390, but with all the work that has been done the traffic flows at a much faster pace.

Another good aspect about the Illinois Tollway is that it entered into a Project Labor Agreement (PLA) back in 1994 to ensure projects would not be affected by work stoppages or any other issues that could beset a project. This PLA kept projects moving forward while there were labor issues in the summer of 2010 and during the first years of the Capital Plan.

In 2015 came bad news for the construction industry. The Illinois Tollway Board, with dissention from many—including Board member James Sweeney—voted to eliminate the existing PLA on any contracts that were awarded after May 1, 2015. The compromise that existed between the Illinois Tollway and the Building Trades for over twenty years ended.

It's an ugly day when politics, instead of good business practices, influences decisions. The PLA that kept Illinois Tollway projects moving forward efficiently for over twenty years is no longer in use. Time will only tell how this decision will negatively impact the future of our roads. ■





Marcella Kunstek  
III FFC MONITOR

## FOCUS ON Indiana



# What public bodies can do to ensure responsible contractors bid without the Common Construction Wage

**W**ith encouragement from Indiana Governor Mike Pence, the long-standing Indiana prevailing wage law, known as the Common Construction Wage (CCW) law, was repealed. CCW was originally put in place to keep non-responsible, fly-by-night contractors from paying lower wages on public works projects.

Non-responsible contractors perform work less efficiently and less safely. Unfortunately, without protections, workers are injured and local tax money is often taken back to the states where the contractor resides. Without the CCW, contractors are no longer on a level playing field, taxpayers are not receiving the most efficient work, and workers are not being paid the best wages possible for their work.

In late summer 2015, the III FFC met with labor and management representatives including the Indiana Building Trades, the Northwest Indiana Building Trades and the Center for Advancement Foundation representing northwest Indiana contractors. The group came up with a responsible bidder ordinance (RBO) that addresses the issues and concerns of all involved. An RBO is an ordinance that a public body incorporates into its laws that give a minimum, objective criteria when accepting bid proposals from contractors.

The resulting RBO has been a huge success. Since

September, three northwest Indiana public bodies adopted it and have insured that only responsible contractors will be considered for construction projects within their jurisdictions.<sup>1</sup> Together with labor and management representatives, the III FFC has been promoting RBOs throughout Indiana.

On November 20, 2015, this group of labor and management representatives held an educational RBO workshop at the Center for Advancement Foundation in northwest Indiana. Many public bodies were invited, as well as elected officials, and contractors. Public officials also spoke, including Portage, Indiana Mayor James Snyder, LaPorte County Commissioner Dave Decker, and Hobart, Indiana Councilman David Vinzant. Public officials spoke about their experiences adopting the RBO including the assurance it gives to their communities in awarding bids only to responsible contractors.

The III FFC will be promoting RBOs wherever a public body is truly concerned and wants responsible contractors performing their community's work. The III FFC is available to assist in your efforts to adopt an RBO so that projects are completed safely, efficiently, and with the best taxpayer value possible. For more information, please visit [www.iiifcc.org](http://www.iiifcc.org). ■

1. Learn more about the RBO passed in Portage, IN on page 13.

**Non-responsible  
contractors  
perform work less  
efficiently and  
less safely.**



## Contractor Spotlight

# Rieth-Riley Construction Co., Inc.

**R**ieth-Riley Construction Co. was founded 100 years ago in 1916 by Albert A. Rieth. Based in Goshen, Indiana, the company soon expanded into Elkhart, South Bend and Laporte as well as southwest Michigan. The company later expanded into Valparaiso and Gary.

As the popularity of the automobile increased, Rieth-Riley grew in size and geography building roads and small bridges. In the 1920s, Rieth-Riley constructed part of the Lincoln Highway through Indiana as the nation sought a coast-to-coast paved road. This was the first federally funded highway project in Indiana.

Indicative of its growing capabilities, in 1954, Rieth-Riley was awarded the first project on the Indiana Toll Road near South Bend. Continuing the tradition, Rieth-Riley was awarded the first project with the new concessionaire on the Indiana Toll Road in 2006.

Significant projects completed together include several projects on I-94, the recent reconstruction on the Indiana Toll Road, projects for the CN railroad, the Gary airport, Notre Dame in South Bend, SR 39 in LaPorte, and many other projects important to the infrastructure in the north and northwest Indiana region.

Rieth-Riley's northern Indiana locations provide customers with packages that involve total site development including excavation, underground utilities, aggregate placement, concrete curbs/sidewalks, asphalt paving and concrete paving. Whether it is roadway work, commercial site work or residential work, Rieth-Riley is a one stop shop for developers interested in locating their business in Northern Indiana. No job is too big or too small. Most importantly, Rieth-Riley always strives to provide customer service second to none. With their expertise and professionalism on the jobsite, Local 150 employees are a critical component in providing



**In northern Indiana, Rieth-Riley has been a proud partner with IUOE Local 150, as well as many other crafts, for decades.**

a quality finished product and a quality experience for Rieth-Riley's many customers.

In 1985, the Rieth family sold half of its interest to the employees. The other half was sold in 1992. Since becoming 100 percent employee-owned, the company has further expanded into other markets through acquisitions and organic expansion, thus allowing for vertical integration to support the construction operations, and to ensure the supply of quality materials.

From the beginning, the company has been known for its integrity and quality, traits faithfully handed down for generations which continue today. Rieth-Riley enjoys a long and successful history in the communities in which it operates. It's local ownership and prominence in the heavy and highway sector of the construction industry, coupled with its wide range of customer focused products and services attractively positions the company for a successful future. Rieth-Riley wishes to thank all of its Local 150 employees for their dedication, skill and hard work in helping build the first 100 successful years and lay the foundation for the next 100 years. ■



**1916–2016**

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Nathan Reichert  
III FFC MONITOR

## FOCUS ON Iowa

# Genesis Health System Optimization Project

**“C**an I have a room with a view of the construction?” This is a common request these days at Genesis Health System’s East Campus. Patients are keenly interested in the \$138.5 million dollar campus optimization project that has begun to emerge from the ground like a cornucopia of pipes, concrete, and steel. The project is moving forward with organized precision managed by team leader Mike Sharp, Vice President, Construction & Design for Genesis.

The project is also utilizing an IMPACT agreement, a project labor agreement used by the Iowa Construction Labor and Management Council in the Iowa and Illinois Quad Cities. Sharp stated, “We have been using the IMPACT agreement since it started back in the 1980s.” Sharp continues, “the IMPACT Agreement [is utilized] for three main reasons: a guaranteed highly trained workforce, no work stoppages, and the trades are signatory to our health care. Our longstanding IMPACT relationship is [a] partnership between Contractors, Tri-City Building and Construction Trades and Genesis.”

Ensuring patient safety is built into this long standing relationship. With remodeling and ongoing construction, eliminating or minimizing construction worker and construction contact with patients was identified as a way to increase patient safety as well as comfort. The local Carpenters Union saw solving this challenge as an opportunity. Together, Genesis, the Carpenters, and other local trades pioneered a specialized hospital construction worker patient safety training program. All the building trades have been willing to raise the bar on training, education and problem solving. Overcoming challenges is made easier with the trust built within the IMPACT agreement. A significant improvement to project efficiency and patient comfort has been made by the building trades and local contractors because they embrace Genesis’ safety-first.

“We will get you access” is a motto around the Construction Design and Engineering Department.

**The IMPACT  
agreement  
helped  
the project  
management  
team earn a  
higher bond  
rating.**



In 2002, under Mike Sharp’s leadership, Genesis developed a policy to separate construction and hospital operations. The goal is to have a completely separate entrance for the contractors and trades. Sharp stated, “Going out of our way to insure that the contractors have their own entrance to the project creates a more efficient project. When the contractors know they are going to get separate access they do not have to estimate elevator delays or access issues. We now know it makes the whole project more efficient.”

Sharp and his team are proud of their accomplishments and the project’s continuing success. With the IMPACT project labor agreement cementing the partnership between Genesis, contractors, and the trades, significant safety and process improvements have been made. Valuing local contractors and a local workforce who share a commitment to training, innovation and education has lifted the construction industry, as well as Genesis’ operational efficiency. Sharp sums it all up with his simple comment, “A commitment to working under the IMPACT agreement helps us all.” ■





## DAVIS-BACON AND RELATED ACTS

# Bi-Partisan support in D.C. for middle class construction workers

## WILL SPRINGFIELD DO THE SAME?

In October 2015, all 18 members of the Illinois Congressional Delegation—Republicans and Democrats, rural and metropolitan—voted to protect middle class construction workers across the country by unanimously voting against a measure to remove the Davis-Bacon prevailing wage requirement from federal road construction projects.

The legislation was sponsored by Rep. Steve King (R-IA) as a proposed amendment to the new multi-year transportation funding bill passed by the House. The amendment was defeated by a vote of 238–188, with 54 Republicans joining 184 Democrats to block the measure. This bipartisan vote shows that congress understands the fact that prevailing wage laws are necessary to prevent local wage and benefit standards from being undermined by low-road contractors seeking an advantage by deploying a low-wage, low skill, easily exploitable workforce.



**We urge state leaders to learn the lesson the entire Illinois congressional delegation clearly understands: repealing prevailing wage laws results in a race to the bottom.**

Unfortunately, some in Springfield have spent months attempting to push through a similar extremist plan to repeal or diminish the state prevailing wage law in Illinois. We urge state leaders to learn the lesson the entire Illinois congressional delegation clearly understands: repealing prevailing wage laws never results in taxpayer savings but does result in a “race to the bottom” economic model that undermines high-road construction companies, disrespects skilled construction workers, and diminishes one of the historic standards that helped give rise to the great American middle class.



# A Commitment to Fair Contracting

## NAFC HOLDS ANNUAL CONFERENCE

By Laura Byrne

III FFC COMMUNICATIONS DIRECTOR

**T**he National Alliance for Fair Contracting (NAFC) is a labor-management coalition consisting of fair contracting organizations, contractors, and labor unions committed to promoting fairness in the construction industry.<sup>1</sup> What makes NAFC unique is its commitment to establishing fair contracting organizations nationwide, as well as providing a middle ground for contracting companies to communicate and maintain a level playing field in public contracting.

With the construction industry constantly evolving, it is important that there is a clear consensus on where labor-management organizations can turn to discuss strategies to keep a level playing field in the construction industry. Some of the key issues that NAFC addresses are the repeal of prevailing wage and Davis Bacon standards, worker misclassifications, workplace safety, and minimum wage and overtime laws.

One of the ways that NAFC works to bring together fair contracting organizations, contractors, and labor organizations is through its National Conference. This year's conference was held in Baltimore, Maryland. The benefit of having leaders from different organizations together for a three day conference is that it gives the opportunity to discuss innovative strategies and techniques to promote fair contracting.

This conference is especially important with changing political landscapes that affect the construction industry nationwide, such as attacks against prevailing wage laws in states including Wisconsin, Indiana, and West Virginia. While proponents of prevailing wage repeal say it will result in cost savings, the research doesn't support this. The reality of prevailing wage repeal is a lower standard of living for many, since prevailing wage helps strengthen state and local economies through promoting middle class jobs.

One of the most notable moments of the conference was a presentation on raising labor standards in states with weak or no prevailing wage laws. This workshop consisted of Dr. Bo Delp from the Workers Defense Project in Texas, and Ashford Hughes, speaking about the Economic Equity and Jobs Task Force Co-Chair for the Nashville Organized for Action & Hope (NOAH). Listening to both of these presentations was inspiring because it was apparent that



**One of the ways that NAFC works is by bringing together fair contracting organizations, contractors, and labor organizations through its National Conference.**

these organizations are committed to protecting the livelihood of the working class, which is essential for the construction industry to flourish.

Dr. Delp touched on how the demand for construction workers in Texas is at an all-time high and is only expected to increase. Better Builders work to spot “wage and safety issues through independent on-site monitoring [that will] help reduce project delays, lien, and legal costs associated with poor working conditions.”<sup>2</sup>

Nashville is also a city booming in infrastructure development, with plans to spend billions over the next ten years.<sup>3</sup> NOAH is a “faith led coalition comprised of congregations, community organizers and labor unions that work to give voice to traditionally marginalized people.”<sup>4</sup> Engaging the middle class in the political and economic decisions that affect their daily lives is significant for maintaining their quality of life. A prime example of how NOAH has engaged its

community was through passing a Charter Amendment 3, commonly referred to as a local hire ordinance to ensure that taxpayer funded public projects will go to local workers. Hughes stated, “by voting for Charter Amendment 3, we can build good-paying jobs that will make Nashville a better place to live.”

In most states, infrastructure development is in serious disarray. As roads and bridges continue to deteriorate, governments at all levels struggle to find the funds necessary for the maintenance and improvement of infrastructure. A common first response is to cut corners, including worker wages, for perceived cost-savings. The NAFC conference gave participants the opportunity to discuss their strategies to address the false messages supporting prevailing wage repeal, and policies supporting a race to the bottom. The message of promoting a level playing field in the construction industry is part of the larger goal to support the middle class. By sharing strategies and experiences, NAFC organizations strive to promote this goal nationwide. ■

1. Visit <http://www.faircontracting.org> for more information about NAFC.

2. Visit [http://www.aflcio.org/Blog/\(tag\)/1152](http://www.aflcio.org/Blog/(tag)/1152) to learn more about the Workers Defense Project in Texas.

3. Visit <http://www.noahtn.org> to learn more about Nashville Organized for Action and Hope.

4. *Ibid.*





## PORTAGE, INDIANA

A City With A Responsible Attitude

**W**ith a population of 38,000 people, Portage, Indiana is the largest city in Porter County, and is home to hundreds of hard working men and women in the construction industry.

In September of this year, the City adopted a Responsible Bidder Ordinance (RBO). Some may wonder what an RBO is and why is it significant for the construction industry.

Portage Mayor James Snyder said it best. "The City of Portage adopted a Responsible Bidder Ordinance to sidestep the repeal of Common Construction Wage law this year by state lawmakers and to give local control on construction projects," Mayor Snyder said.

After a long battle earlier this year to preserve a state law that has been in place since 1935, and with support from Governor Pence, the Indiana General Assembly voted to repeal the Common Construction Wage (CCW).

Mayor Snyder participated in a rally at the state capital this past April and spoke in support of saving the CCW law.

"Pence clearly doesn't understand what it means to be a small government Republican [and] we're not going to let those in Indianapolis tell us how to do our work," Mayor Snyder said.

So it is not surprising that Portage was one of the first communities to pass an RBO after repeal of CCW. Mayor Snyder said the idea is to "make sure we have contractors doing the work using the proper safety, training and payroll." While the proposed ordinance does not call for or even mention union contractors, Mayor Snyder said his "goal is to have union labor do Portage projects."

Under the new bidding requirements, prospective bidders are required to show proof that they are registered to do business in the state and meet other criteria common among responsible



*IUOE Local 150 Operator Nathan Jesse, with Portage Mayor James Snyder at the construction site of a new police station.*

contractors. For example, contractors must disclose violations of federal, state or local law. They must also provide evidence of participation in apprenticeship and training programs approved by the U.S. Department of Labor, show that they have a drug testing program in place, show proof of applicable professional and trade licenses, and provide a statement on staffing capabilities.

Shortly after the City passed its RBO, Portage Township School elected to follow suit. In September 2015, Portage Township School Superintendent Dr. Richard Weigel and School Board President Cheryl Oprisko presented a "Responsible Bidding Policy" to the School Board. As an educational institution, they felt it was a perfect fit.

"The Responsible Bidding Policy and practice is a means for ensuring the safety of our students by promoting qualified and well trained contractors and subcontractors," said Dr. Weigel. "We have the highest expectations for our students and we would expect no less from the professionals who work to construct and fix our schools. We support the requirements of apprenticeship and training programs for our contractors as much as we support the academic standards for our students."

Responsible bidding ensures that taxpayer dollars go to contractors that adhere to a set of standards and accountability measures that bring well-trained employees to publicly funded work. This will ensure that the process is fair to all law-abiding contractors who are most qualified for the job.

Hats off to Portage, Indiana for taking proactive steps to protecting their community from unscrupulous contractors on their public works projects.

Isn't it time for you to do the same? ■

Jodi Frailey

# Dedicated to serving the public interest

Jodi Frailey was raised with a clear understanding of the importance of being fair and following the rules. Her father was with the Indiana State Police for 35 years and her mother worked for a City Clerk's office for over 30 years. Jodi served as an E911 Dispatcher for 6 years. Serving the interest of the public has always been a priority for her.

Through living in a small town in the "Right to Work" state of Indiana, where the Common Construction Wage Law was recently repealed, she understands the need for sustainable living wages. Having the opportunity to work in Illinois where the Prevailing Wage Act (PWA) is being scrutinized, she is committed to working to defend and protect the value of having a law that protects workers.

The PWA provides competitive and sustainable wages, while providing assurance that public works projects are being performed by skilled and certified workers. Having trained labor improves safety and working conditions, while at the same time increases the likelihood of projects being completed on budget and on time. It's a win-win situation for contractors and their workers as well as for public bodies.

Jodi joined the III FFC in May 2015. During her second month as a Compliance Monitor, she and other Illinois Monitors



were given the task of proving IUOE Local 150 wages prevail for Operating Engineers in northern Illinois. Throughout the month of June, the III FFC team met with municipalities, contractors, and spoke with Operating Engineers working on public projects all over northern Illinois. The III FFC had workers call in with their hours, visit them on job sites, keep track of their hours, and request certified payrolls from contractors. Through those efforts, the III FFC was able to report that the wages collectively bargained by Local 150 and signatory contractors prevail. This was an exciting way to hit the ground running as a new Compliance Monitor with the III FFC.

Jodi's primary duties as a Compliance Monitor in Chicago and South Cook County are to work with municipalities to encourage responsible bidding on projects, educate workers on publicly funded projects, and monitor public jobs to make sure everyone is playing by the rules.

Prior to joining the III FFC, Jodi served as Executive Assistant and Property Manager to the president of a waste and recycling consulting firm. She was the liaison between new clients and project managers to create custom waste, recycling, and reuse programs guaranteeing cost effectiveness by monitoring and auditing vendor accounts. Jodi also has 10 years of commercial property management experience. She managed building projects in various stages of development. The scope of her work ranged from working with contractors through the bidding process, ensuring compliance with local ordinances, overseeing daily construction, and managing the budget of each project.

Jodi lives in Valparaiso, Indiana with her husband, Jason, who has worked for the Illinois Supreme Court for over 15 years. She is the proud mother of Jade and Ben, both of whom attend Indiana University in Bloomington and she is the proud step-mother of Gus and Uly, who attend middle and elementary school in Des Plaines, Illinois. ■





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