

**AMENDMENT TO THE PROJECT LABOR AGREEMENT BY AND BETWEEN THE  
CHULA VISTA ELEMENTARY SCHOOL DISTRICT AND THE SAN DIEGO  
COUNTY BUILDING AND CONSTRUCTION TRADES COUNCIL AND THE  
SIGNATORY CRAFT COUNCILS AND UNIONS FOR SCHOOL REPAIR,  
RENOVATION, REHABILITATION, UPGRADE AND IMPROVEMENTS OF  
CONSTRUCTION WORK FUNDED BY MEASURE E, VV, M AND CFD**

The Parties agree under Article 22 of the PLA to hereby amend the PLA as follows:

1.     Section 4.1 General. This PLA shall apply to: (i) all construction, rehabilitation and capital improvement work as described in Section 4.2 of this Article, performed by those Contractor(s) of whatever tier. Notwithstanding the foregoing: (i) each Covered Contract shall be awarded in accordance with the applicable provisions of California's Public Contract Code, (ii) the District has the absolute right to award Covered Contracts to the lowest responsible and responsive bidder, and (iii) the District has the absolute right to combine, consolidate or cancel contract(s) or portions of contract(s) for work on Measure E, VV, M and CFD Projects.

2.     Section 4.4(a) and (d) of Article 4 is hereby amended and replaced with the following:

(a)     The District and/or the Contractors, as appropriate, have the absolute right to award through competitive bidding, lease leaseback, design-build or other delivery method, contracts or subcontracts on this Project to any Contractor notwithstanding the existence or non-existence of any agreements between such Contractor and any Union parties, provided only that such Contractor is willing, ready and able to execute and comply with this Project Labor Agreement should such Contractor be awarded work covered by this Agreement.

If the District enters into a contract subject to Education Code sections 17250.10 *et seq.* and Education Code sections 17406 *et seq.*, this PLA shall be deemed to satisfy the requirements of Education Code section 17250.25(c)(2)(B) and section 17407.5(b)(2).

(d)     The District shall ensure that all electrical work within the state contractor's license C-10 scope of work is performed by a licensed contractor who, regardless of license classification, will certify that all work within the C-10 classification will be performed by a California state-certified electrician, and electrical apprentices registered in a joint labor management apprenticeship training program in California.

3.     Section 5.5(a) of Article 5 is amended as follows:

(a)     In recognition of the District's mission to serve the District and its residents, the Unions and Contractors agree that, to the extent allowed by law, and as long as they possess the requisite skills and qualifications, residents of the District in the following zip codes: 91902, 91910, 91911, 91913, 91914, 91915, 91917, 92154, 91950, 91935, 91978, 91977 shall be first referred for Project Work, including journey person, apprentice, or other positions which may be established under a Schedule A and covered by the applicable prevailing wage for utilization on Project Work. In the event a Union exhausts individuals in its job referral system who are residents of the District, the Union shall next dispatch residents of San Diego County prior to the dispatch of any other applicant. Only in the event the Union has no one in its job referral system who are residents of the District or San Diego County, may the Union refer for employment a worker who lives outside these geographic areas. It is the Parties goal that (80%) eighty percent of the positions

for Project Work for a particular Contractor (including the Contractor's "core employees") by craft, have been filled with residents of San Diego County of which (50%) fifty percent should be residents within the District. The Parties agree to facilitate and encourage the enrollment of District resident into Apprenticeship Programs so that any District resident enrolled in an Apprenticeship Program after the effective date of this PLA shall be included in the (50%) fifty percent goal. To facilitate the dispatch of local residents all Contractors will be required to utilize the Craft Employee Request Form, a sample of which is attached as Attachment B.

4. Section 5.9 is amended as follows:

Section 5.9 Union Membership. Employees are not required to become or remain union members as a condition of performing Covered Work under this Agreement. Contractors shall make and transmit all deductions for union dues, fees, and assessments that have been authorized by employees in writing in accordance with the applicable Schedule A. Nothing in this Section 5.9 is intended to supersede the requirements of the applicable Schedule A's as to those Contractors otherwise signatory to such Schedule A and as to the employees of those Employers who are performing Covered Work.

5. The Parties further agree that Section 23.1 of Article 23 is amended as follows:

The PLA shall be effective from **December 10, 2018** for purposes of Project Work funded under Measure E, VV, M and CFD and shall remain in effect for three (3) years after the effective date or until all Project Work to be performed under this PLA has been completed, whichever occurs first. Any covered Project awarded during the term of this PLA shall continue to be covered hereunder, until completion of the Project Work, notwithstanding the expiration date of this PLA. The Parties agree to discuss extensions or modifications of this PLA based on the District's determination as to whether the PLA achieves its intent.

This Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Facsimile signatures are to be deemed equivalent to original "wet ink" signatures under this Agreement.

6. Appendix A is amended as attached.

7. The Parties further agree to amend Article 24 Work Opportunities Program as follows:

Section 24.1 Work Opportunity Programs. The Parties to this PLA support the development of increased numbers of skilled construction workers from among residents of the District and San Diego County to meet the labor needs of covered projects specifically and the requirements of the local construction industry generally. Towards that end the Parties agree to cooperate respecting the establishment of a work opportunities program for District residents and students, the primary goals of which shall be to maximize (1) construction work opportunities for County and District residents, and (2) business opportunities for traditionally underrepresented members of the community, minority and women-owned business, and disabled veteran-owned businesses in the construction industry, the latter goal being consistent with the Government Code requirement that public agencies promote and encourage the use of these organization on public projects. In furtherance of the foregoing, the Unions specifically agree to:

(a) Establish a pre-apprenticeship program for District residents, including students, whereby residents will be trained in a pre-apprenticeship skill to enable them to gain employment/training within the signatory Unions; and

(b) Encourage the referral and utilization, to the extent permitted by law and hiring hall practices, of qualified District residents as journeymen, apprentices and trainees on Covered Projects and entrance into such qualified apprenticeship and training programs as may be operating by signatory Unions. Activities to achieve this goal include but are not limited to each Union contacting its members that live within the targeted zip codes informing them of the availability of Covered Work; communicating through the District's portal to families as to the existence of Covered Work; and encouraging nonunion construction workers who live within the targeted zip codes to register at the Union Hiring Hall so they could be considered local residents; and

(c) The Unions will cooperate with the community representatives to include those from traditionally underrepresented segments of the community, whose task is to achieve the inclusion of historically disadvantaged business and individuals in the construction and employment opportunities created by this Project; and

(d) The Unions will provide accurate data to the committee pertaining to their level of economic support provided to meet these goals, numbers of minorities and traditionally disadvantaged businesses and individuals employed on the Project and other data as requested by the Project Labor Coordinator; and

(e) The Unions will partner with the District in conducting outreach activities by establishing or continuing to maintain existing centers and programs to facilitate the entry of traditionally disadvantaged residents of the District, as well as other residents of the District into the building and construction trades. These programs shall serve as a resource for preliminary orientation, assessment of construction aptitude, referral to a qualified pre-apprenticeship program or apprenticeship program, referral to hiring halls, and provide tailored orientation for women and disadvantaged groups; and

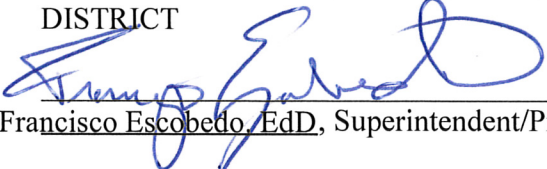
(f) The Unions shall assist District residents in contacting the Apprenticeship Training Committee for the crafts and trades they are interested in. The Unions shall assist District residents who are seeking Union jobs on the Project and Union membership is assessing their work experience and giving them credit for provable past experience in their relevant craft or trade, including experience gained working for non-union Contractors. The Unions shall put on their rolls qualified bona fide District residents for work on this Project; and

(g) The Unions shall otherwise carry out the commitments contained in Appendix B.

In witness whereof the Parties have caused this Amendment to the Project Labor Agreement for Chula Vista Elementary School District Construction for School Repair, Renovation, Rehabilitation, Upgrade and Improvements of Construction Work Funded by Measure E, VV, M and CFD to be executed as of the date and year above stated.

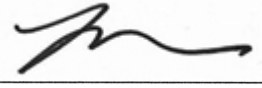
Dated: 8/20/2020

CHULA VISTA ELEMENTARY SCHOOL  
DISTRICT

By:   
Francisco Escobedo, EdD, Superintendent/President

Dated: 8/20/2020

SAN DIEGO BUILDING AND CONSTRUCTION  
TRADES COUNCIL

By:   
Business Manager

In witness whereof the Parties have caused this Amendment to the Project Labor Agreement for Chula Vista Elementary School District Construction for School Repair, Renovation, Rehabilitation, Upgrade and Improvements of Construction Work Funded by Measure E, VV, M and CFD to be executed as of the date and year above stated.

Dated: \_\_\_\_\_

CHULA VISTA ELEMENTARY SCHOOL  
DISTRICT

By: \_\_\_\_\_,  
Superintendent/President

Dated: 08/20/2020

SOUTHWEST REGIONAL COUNCIL OF  
CARPENTERS

By: Stephen Araiza  
Contract Administrator

CHULA VISTA ELEMENTARY SCHOOL DISTRICT  
PROJECT LABOR AGREEMENT  
PROJECT LIST

APPENDIX A

<b>PROPOSITION E AND MEASURE VV PROJECTS</b>
MAE L. FEASTER CHARTER SCHOOL MODERNIZATION
SUNNYSIDE ELEMENTARY SCHOOL MODERNIZATION
LED LIGHTING INSTALLATION (VARIOUS SITES)
FLOOR COVERING (VARIOUS SITES)
ROOFING (VARIOUS SITES)
HEATING VENTILATION AND AIR CONDITIONING (VARIOUS SITES)
ASBESTOS REMOVAL (VARIOUS SITES)
SECURITY CAMERAS AND GATE DOOR HARDWARE (VARIOUS SITES)
SHADE STRUCTURES (VARIOUS SITES)
PLAYGROUND EQUIPMENT (VARIOUS SITES)
FIRE ALARMS (VARIOUS SITES)
DISTRICT DATA CENTER
TRANSPORTATION CORPORATE YARD
<b>MEASURE M PROJECTS</b>
DISTRICT-WIDE SOLAR SYSTEM
PRESCHOOL EDUCATIONAL FACILITIES
HEATING VENTILATION AND AIR CONDITIONING (VARIOUS SITES)
STAFF HOUSING PROJECT
<b>COMMUNITY FACILITIES DISTRICT (CFD) PROJECTS</b>
ELEMENTARY SCHOOL (No. 47)
ELEMENTARY SCHOOL (No. 48)
SABURO MURAOKA ELEMENTARY SCHOOL- EXPANSION (2019-20)