

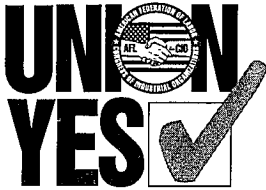
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## TESTIMONY

Written in Opposition of HB 2069 for the  
House Commerce, Labor and Economic Development Committee  
By Andy Sanchez, Executive Secretary-Treasurer, KS AFL-CIO

February 14, 2013

Chairman Kleeb and members of the committee, thank you for this opportunity to submit testimony on HB 2069. The bill before you is not a remedy to a problem and actually goes counter to accomplishing the purposes set out in the bill. What HB 2069 does attempt to do is usurp the authority of municipal governing bodies. For this reason alone we would have to oppose HB 2069, but there are numerous other reasons.

HB 2069 appears to restrict the use of Project Labor Agreements (PLA's). Though not specifically laid out, it would compromise the ability for local governing bodies to use PLA's in practice. PLA's tend to focus on Efficiency, Fair and Open Competition, and the popular use of PLA's is simply because it is a tool to meet the needs of an industry (construction) where bidders will know what is expected of them. PLA's are simply a tool for accountability.

Next, we should consider that PLA's were borne out of "need" and not to give certain contractors an advantage. PLA's were developed to outline terms and conditions whereby construction specifications and standards are met. A PLA does and should give an advantage to responsible contractors; that simply means responsible to the needs of the customer. PLA's are a voluntary collaborative effort on behalf of a customer (city council or county commission) and a general contractor with deliberate intent for the efficient and effective completion of a project. Entities of government have a moral obligation and responsibility to the public, PLA's help to meet that obligation. Public officials have a stake because their integrity may be called into question if they award a contract based solely on the lowest bid. Past experience and history may justify that they reason their decisions based on the things that could go wrong and indeed have gone wrong. Like any consumer, they must weigh the cost with the value of the finished product. If the project comes in over budget or behind schedule public officials bear the responsibility of their decision. We offer that delivery of poor quality projects can result in cost overruns that may be the equivalent of doing a project twice. That is, it is a lot easier to do it right the first time and PLA's remove that burden of concern.

Again, PLA's were fostered out of mutual interests as a result of the responsibility to bring a project from design to reality. Such agreements benefit the local community; otherwise they would not exist today. We see no need to further infringe upon the sovereignty of local government entities. We believe the use of PLA's are what is right with the procurement process and asking governmental entities to compromise their standards is counter-productive. We respectfully ask that you keep sacred the decision of the customer and oppose HB 2069. Thank you.



House Commerce & Economic  
Development Committee

Date: 2.14.13

Attachment #: 14