

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2012-4

3 INTRODUCED BY:

4 Mayor Coss

5 Councilor Dominguez

6 Councilor Romero

7 Councilor Trujillo

8  
9  
10 AN ORDINANCE

11 CREATING A NEW SUBSECTION 28.8 OF THE CITY OF SANTA FE PURCHASING  
12 MANUAL ("PURCHASING MANUAL") TO ESTABLISH PROVISIONS FOR  
13 COMMUNITY WORKFORCE AGREEMENTS PURSUANT TO ARTICLE 9.02 OF THE  
14 CITY CHARTER AND SECTION 11-13 SFCC 1987.

15  
16 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

17 Section 1. A new Subsection 28.8 of the Purchasing Manual is ordained to read:

18 28.8 [NEW MATERIAL] COMMUNITY WORKFORCE AGREEMENTS

19 28.8.1 Legislative Findings. The Governing Body finds that:

- 20 (1) The use of community workforce agreements for construction projects in excess  
21 of \$500,000, is in the best interest of the City, in building large capital outlay  
22 projects funded by Gross Receipts Tax and General Obligation bonds.
- 23 (2) Community workforce agreements will ensure that:
- 24 (a) Time schedules are met for large-scale construction projects;
- 25 (b) Large-scale construction projects will be completed with highly qualified

workers;

(c) The project will meet the highest standards of safety and quality;

(d) There are peaceful, orderly, and mutually binding procedures for resolving labor issues to:

(i) Avoid labor conflicts; and

(ii) Promote overall stability throughout the duration of the project by providing legally enforceable guarantees that the projects will be carried out in an orderly and timely manner without strikes, lockouts, or slowdowns in light of complex project elements and diversity or numerosity of contractors.

(3) Community workforce agreements will allow the City to more accurately predict the costs of large-scale construction projects and ensure fair and reasonable working conditions for all workers for large-scale City construction projects.

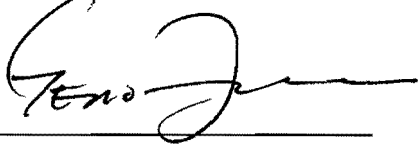
**28.8.2 Applicability; Contracts Over \$500,000.** Public works Construction contracts in excess of \$500,000 shall be governed by a Community Workforce Agreement (“CWA”) and shall be known as “Covered Projects.”

**28.8.3 Incorporation by Reference.** CWAs shall be included in any invitation for bid packet used to initiate competitive sealed bid procurement for Covered Projects, which shall include all contractual terms and conditions applicable to the procurement, as described in Section 22.1 of this Purchasing Manual.

**28.8.4 Variable Terms.** The terms of any construction project CWA may vary in accordance with the scope, duration, cost, or other characteristics of any Covered Project and such terms shall be determined by the City in any Invitation for Bid Packet on a project-by-project basis. Provided, however, that any CWA shall incorporate terms to promote the following objectives:

- (1) Make available a ready and adequate supply of highly trained and skilled trade and craft workers;
- (2) Accurately determine project labor costs at the outset of any construction project;
- (3) Establish working conditions for all construction trades and crafts for the duration of the project;
- (4) Negotiate legally enforceable commitments with all parties to a construction project to ensure labor stability and labor peace over the life of the project;
- (5) Facilitate increases in the number of trained and skilled local construction workers through cooperative procedures and apprenticeship programs; and
- (6) Promotes the hiring of local subcontractors in the construction of large-scale public works projects funded by gross receipts tax and general obligation bonds.

APPROVED AS TO FORM:



GENO ZAMORA, CITY ATTORNEY