



Credit: Gleeson Architects

## FCF's Final Relocation and Other News

With the completion of the new Saint Paul Labor Center at West 7th and Smith Avenues nearly complete, FCF is looking forward to the move into our new office space sometime in February.

Congratulations to **Kem Tae** and Tom Lynch on the September birth of their daughter Saoirse. With Kem Tae's return, FCF is once again fully staffed.

During **Kelly Francis's** yearlong military deployment to Kuwait, she used her downtime to concentrate on her passion for writing. Congratulations to Kelly for publishing her first book *The Ghost of Fort Leavenworth*.

## A Glance Back Continued from front

- FCF worked with E2 Electrical Services to rightfully secure a \$1.2 million project award when the low bid was legally deficient.
- Flooring contractor Hunt's Carpet Service was found in violation of a Minneapolis wage ordinance for \$21,596 with yet another investigation pending.
- Javen's Electric, Inc., was found responsible for more than \$8,700 for two violations on separate MnSCU projects.
- FCF has dedicated significant resources to prepare its affiliates for the pending federal Davis-Bacon building survey, Minnesota's first since 2002.



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**Without Standards, It's Only A Matter of Time**

Delhi, India. Credit: Mike Wilde

## A Glance Back At 2015

In this past year FCF received more contractor participation than before. Hopefully our participating contractors are finding how beneficial it is to contact FCF to inquire about rates, participate in survey training or question a bidding process. Without providing legal representation, we do strive to give general guidance on the common requirements in public construction. In addition, here are some of the compliance results we reached by working with our affiliated contractors and unions in 2015:

- High Performance Coatings, Inc., was found to have \$16,703 in wage violations on the Anoka Park & Ride ramp.
- The Northern Task Force saved \$31,000 for the Iron Range Resources and Rehabilitation Board by invoking bid law requirements on the Aitkin Armory.
- The same task force led FCF to the Tettegouche State Park project where the wage complaint recovered \$10,034.

Continued on back



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Artist rendering of the new Highway 53 bridge crossing the Rouchleau Mine Pit. Credits: MnDOT

## Virginia Highway 53 Relocation Project

For the next two years, MnDOT, contractors and trades workers on the Iron Range will take on the herculean task of relocating Highway 53 in Virginia, MN., preserving a vital transportation route to the city of Eveleth. When the state acquired an initial easement to build the road in 1960, it agreed to move the highway should the mining interests ever need access to ore resting just below the surface. This time around, the state has acquired rights to the underlying minerals as well to ensure that the freeway will not need to be relocated a second time. The new route will traverse the Rouchleau Mine Pit, and once complete, will boast the highest bridge in the state. The highway 53 relocation is a \$156 million construction project that will employ 27 local contractors and create more than 100 construction jobs. MnDOT's office of Contract Compliance is working with local TERO offices to meet minority workforce goals on the project, but warns that goals may be lower than the hours might suggest, based on the dangerous nature of the work. Either way the project will result in high-paying jobs and an enormous economic boon to the region for some time to come. "The project started in early November 2015 and is proceeding at a rapid pace," says Pat Huston, P.E., Highway 53 project director.

It is expected to be completed by late 2017.

## Davis-Bacon - Where Should You Be?

The deadline for survey submissions in the ongoing Davis-Bacon Survey is March 31. We would encourage all survey participants to have their surveys completed and submitted by the end of February to allow time to deal with any unexpected complications. With this timeline in mind:

- Unions and contractors should have agreed on who will enter surveys.
- Fringe benefit reporting should have been reviewed by at least two people.
- Survey entries should be well along.
- Unions and contractors should be communicating about the status in each county.
- Minnesota state survey results are now available and they should be reviewed as they may provide additional projects to report on the Federal survey.

If you have already taken the steps above you should be able to start working on addressing counties where you don't have six employees and three contractors. Feel free to contact Gary or Adam at FCF with any questions you may have related to the survey. Just remember, as the deadline approaches it will be more difficult for us to help multiple survey participants.

## Destination Medical Center Development Plan Officially Underway

In 2015 we saw approval of the Destination Medical Center Development Plan by the Destination Medical Center (DMC) Board and the City of Rochester, MN., which means the project is officially underway. The DMC is expected to dramatically transform downtown Rochester and establish the world's premier destination medical community. The project is expected to involve more than \$6 billion in investment from private and public sources during the next 20 years, making it the largest economic development initiative in Minnesota and one of the largest in the nation.

The DMC will involve many different types of construction projects, including housing, retail, sports, recreation, hospitality, research, arts, infrastructure, transportation and of course health care. Some projects being driven by the DMC are already being reviewed, and in some cases approved, by the Rochester City Council. As the DMC continues to ramp up, our industry needs to make sure we are ready to provide the quality construction contractors and workers that the DMC will need.



Rendering of Discovery Square Sub-District

A new address for the future of bio-medical, research, education and technology innovation, Discovery Square will be a keystone to the DMC economic development strategy. Credit: Destination Medical Center; Note: image depicts draft concepts only.

## Prevailing Wage and Minnesota School Districts

*How can I tell if this school district project carries prevailing wage?* This is becoming one of the more common questions that FCF fields, and the answer is usually something like "it's tricky." A handful of school districts have adopted local prevailing wage policies, meaning that prevailing wage rates apply to school construction projects more than a certain dollar threshold regardless of whether the project is state or locally funded. But increasingly, FCF is seeing a variety of school districts include prevailing wage requirements in their project specifications even when there is no prevailing wage policy in place and no indication of state funding. For example, of nine school district projects bidding in the month of November, six of them carried prevailing wage requirements in the specifications. Is this becoming a best practice? Are school districts starting to see the value in requiring fair wages for construction workers and attracting high quality bidders?

Even if this is the case, many questions remain unanswered. Is now the time to approach some of these school districts about passing more transparent prevailing wage policies? And perhaps most important of all, are the school districts prepared to enforce the language they're including in their contracts?

In January, FCF will be attending the Minnesota School Board Association Conference where we will begin a dialogue with some of these school districts about the best way moving forward for preserving and protecting prevailing wage on locally funded school construction projects.

## Our Mission

The Fair Contracting Foundation promotes prevailing wage law education, compliance and enforcement. It advocates for practices, policies and laws that ensure fair government contracts, a strong local industry and protection of the public interest. We're here to help. Give us a call at 651-797-2726.