



● **Board of Directors**  
***Organization, Personnel and Technology Committee***

4/13/2021 Board Meeting

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7-7

**Subject**

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Authorize the General Manager to enter into six temporary skilled labor agreements with 22nd Century Technologies, Inc., Johnson Services Group, Tryfacta, Inc., Abacus Service Corporation, EPCM-RMS, Inc. and Skillset Group, LLC, each with an initial amount of \$250,000 per year, and each with up to four annual renewal options, with a maximum amount of \$2 million per year for all six contracts; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

**Executive Summary**

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Metropolitan relies on temporary skilled labor to flexibly support peak workloads and to provide coverage for critical vacancies during long-term absences of regular employees. Temporary skilled craft labor agreements provide ready-to-deploy labor to support shutdowns, emergency repairs, maintenance, and certain operational duties. Staff recommends entering into contracts with six vendors totaling \$2 million per year to ensure workers can be provided as needed. These positions will exclusively support the Water System Operations Group (WSO) and represent less than one percent of WSO's overall labor budget. No additional funds are needed for these contracts as the temporary labor will be funded from operations and maintenance (O&M) or capital budgets.

**Details**

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**Background**

Metropolitan has relied on short-term temporary skilled labor since 1988 for assisting with O&M, capital, and reimbursable projects. The agency temporary skilled laborers include crafts such as: Carpenters, Electricians, Heavy Equipment Operators, Machinists, Coaters, Millwrights, Welders, and Mechanics. In limited circumstances, operational or administrative support is also acquired. These temporary laborers fill critical staffing gaps that result from peak maintenance activities during shutdowns, urgent repairs following storms, and longer-term absences due to regular staff vacancies.

Agencies providing skilled labor workers are responsible for screening, testing, verifying certifications and licenses, ensuring temporary workers meet minimum qualifications and have appropriate skills, including environmental health and safety training. The agencies are responsible for providing written verification that all persons hired for temporary work assignments are eligible for employment under all state and federal laws and have passed required background investigations. Individuals from each agency are limited to a maximum of six months on any one project, and six months must elapse between temporary assignments. All crafts covered by a prevailing wage determination will be entitled to prevailing wage rates; however, agency temporary workers are not eligible for per diem expenses or reimbursement for costs incurred while performing work at any site within Metropolitan's service area.

**Selection Process**

Request for Proposal No.PR-381410 was issued on Oct. 21, 2020, and nine firms submitted proposals. The evaluation criteria included organizational qualifications, ability to meet work requirements, adequacy of staffing to meet demand and urgent conditions, past performance client satisfaction and response time, environmental sensitivity including use of green products and recycling policies, and a competitive fee rate schedule. Two of the proposals did not meet the qualifications, and one missed the deadline to submit their proposal. Based on an evaluation of the remaining proposals, staff recommends entering into labor agreements with: 22nd Century

Technologies, Inc., Johnson Services Group, Tryfacta, Inc., Abacus Service Corporation, EPCM-RMS, Inc., and Skillset Group, LLC.

This action authorizes the General Manager to enter into six one-year agreements, with up to four annual renewal options, in an amount not to exceed \$2 million per year, to be allocated between all six agencies based on Metropolitan's temporary labor needs with each agency. No funding or project authorizations are required under this action. In addition, no work is guaranteed to these firms during the term of the agreements. Three of the six temporary labor agencies selected are a Disabled, Veteran, and Small Business Enterprise firm.

## **Policy**

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Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

Metropolitan Water District Administrative Code Section 8121: General Authority of the General Manager to Enter Contracts

## **California Environmental Quality Act (CEQA)**

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### **CEQA determination for Option #1:**

The proposed action is not defined as a project under CEQA because it involves continuing administrative activities (Section 15378(b)(2) of the State CEQA Guidelines). In addition, the proposed action is not subject to CEQA because it involves other government fiscal activities, which do not involve any commitment to any specific project, which may result in a potentially significant physical impact on the environment (Section 15378(b)(4) of the State CEQA Guidelines).

### **CEQA determination for Option #2:**

None required

## **Board Options**

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### **Option #1**

Authorize the General Manager to enter into six temporary skilled labor agreements with 22nd Century Technologies, Inc., Johnson Services Group, Tryfacta, Inc., Abacus Service Corporation, EPCM-RMS, Inc. and Skillset Group, LLC, each with an initial amount of \$250,000 per year, and each with up to four annual renewal options, with a maximum amount of \$2 million per year for all six contracts.

**Fiscal Impact:** None; expenditures are budgeted and approved under the individual projects or from existing O&M funds.

**Business Analysis:** These skilled labor agreements allow Metropolitan to increase skilled labor staff during peak workloads and to cover vacancies.

### **Option #2**

Reject all proposals and do not authorize the General Manager to enter into any temporary skilled labor agreement.

**Fiscal Impact:** Unknown fiscal impact

**Business Analysis:** Metropolitan would not be able to meet peak workloads for skilled craft labor nor backfill for critical vacancies. Some projects or emergency repairs would be delayed, and overtime expenditures and fatigue for regular staff would increase.

**Staff Recommendation**

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Option #1



Diane Pitman  
Group Manager, Human Resources

3/24/2021  
Date



Jeffrey Kightlinger  
General Manager

3/29/2021  
Date