

**Modify On-Call Technical Consultant Services
for
Collective Bargaining/Interest Arbitrations**

Budget Committee
November 10, 2005

ACTION REQUESTED

Request that the Budget Committee recommend approval to the Board to modify P&T contract for On-Call Technical Consultant Services for collective bargaining and/or interest arbitration

BACKGROUND

- In 2004, the Board approved a Basic Ordering Agreement (BOA) which allowed LABR to obtain expert witness support for collective bargaining/interest arbitration for FY05 and FY06
- To date, \$114,000 of the \$150,000 budgeted in FY 06 for BOA was spent for negotiating and interest arbitration hearing activities
- Additional \$250,000 for the contract is required to support activities for the balance of the fiscal year

DISCUSSION

- In October 2005, WMATA finished the interest arbitration hearing with the FOP, and litigating eleven (11) contract articles.
- WMATA is currently concluding collective bargaining discussions with Local 689 ATU, operating and maintenance unit, and Local 2 OPEIU for the professional/administration and clerical unit.
- Preparation work for the necessary interest arbitrations involving these bargaining units is underway and must be completed.
- An extensive study is being conducted with respect to WMATA's health benefit plans and various design changes to enhance its cost effectiveness.

Discussion (continued)

- Funding of \$250,000 is available in the approved FY06 Professional/Technical budget for WFDA

Recommendation

That the Budget Committee approve the modification of \$250,000 to support the BOA contract for the balance of the fiscal year



Washington Metropolitan Area Transit Authority
**METRO ELECTRONIC ACTION
 DOCUMENT**

IDENTIFICATION			
MEAD ID:	98997	ACTION:	Initiate & Award
AWARD VALUE:	(Not yet awarded)	CONTRACT: (Proposed)	
FUND SOURCES: (View)	Operating Funds	CONTRACTOR:	
LAST MODIFIED:	11/02/2005		

DESCRIPTION	
SUBJECT:	Add'l Funding existing on-call tech consultant svcs contract collective bargaining/interest arb.
PURPOSE:	WFDA/LABR has within its approved FY06 budget professional/technical funds unrestricted to meet contingencies. Given heavy bargaining and interest arbitration schedule this year, we propose approval to allocate those budgeted funds in support of future work demands.

ORIGINATION					
INITIATOR			DEPARTMENTAL APPROVAL		
DONALD FROELKE JR on 10/20/2005			Approved by SCOTT II , WILLIAM 10/27/2005		
PHONE:	202-962-	OFFICE:	LREL	DEPT:	Workforce Development and

COORDINATION (ROUTING)		
OFFICE	NAME	ACTION/DATE
(1120)	BARTLETT, HAROLD	Approved w/ Comments 10/26/2005
PRMT (7410)	JACKSON, LUCY	Approved 10/26/2005
FIMA (2310)	BOULDRY JR, BURTON	Approved w/ Comments 10/26/2005
COUN (1410)	O'KEEFFE, CAROL	Approved 11/02/2005

FINAL APPROVALS	
OFFICE	NAME/ACTION
BEMR	Approved w/ Comments for by HAROLD BARTLETT on 10/26/2005
HR_CMTE	Approved for AGMW by WILLIAM SCOTT II on 10/27/2005
BEMR	HAROLD BARTLETT (Not Yet Approved)
GM	GMGR CEO (Not Yet Approved)
BOARD	BOARD WMATA (Not Yet Approved)



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NARRATIVE

The Authority requires certain additional technical consultant and expert witness services in connection with reviewing, analyzing and representing WMATA's strategic interests in 2005 collective bargaining and if necessary interest arbitration in FY 2006.

These on-call technical consultant services contracts will be necessary in assisting management with contract negotiations with WMATA's labor unions and preparing the supporting arguments, testimony and exhibit presentations for any contingent interest arbitration. Historically, the Authority has initiated and awarded individual contracts for each professional service as needed to support these areas. This process however, has become very time consuming, counter-productive, and does not always meet with short time constraints necessary in responding to various issues presented during collective bargaining and preparation for interest arbitration. The goal here will be to develop the interest arbitration phase if necessary.

Therefore, the Board approved in January 2004 on-call technical consultation/expert witness service contracts for labor negotiations and interest arbitration hearing preparations and presentations for diverse topics such as: professional job matching analyses of WMATA jobs with comparable ones found in the local Washington, D.C. labor market and comparison of respective wage levels; professional labor economic analyses of Union wage premium trends and their applicability to WMATA circumstances; specialized labor economic developments within the transit industry; professional financial analyses and testimony bearing on the Wolf Act comparability standards; specialized interest arbitration advocacy support; professional level development of statistics and testimony regarding WMATA Quit Rates, Queue Rates, New Hire Premium; professional level analyses and testimony concerning comparability of health care and fringe benefit program; and professional specialized pension benefit comparability analysis and evidence development.

The Authority has utilized \$113,500 of the \$150,000 allocated to this project in FY2006 and will soon deplete the remainder due to the collective bargaining interest arbitration support required.

ALTERNATIVE

There is no feasible efficient alternative.

IMPACT ON FUNDING

Funding for this action has been budgeted and is available in the approved FY 2006 annual budget. The estimated cost of this action is \$250,000 and is available in the Workforce Development and Administration/Office of Employee and Labor Relations budget.

Budget: Operating Budget & Capitalized Budget, FY 2006

Office: WFDA - 5100
LABR - 5600

Account: Professional and Technical Services - Other Consultants

This Action: \$250,000.00

Affirmative Action Requirements:

The contractor will be required to comply with Executive Order 11246 #4 if the contractor has 50 or more employees and the Delivery Order is \$50,000 or more.

The Authority's DBE policies will be followed for all Delivery Orders issued under a BOA that will be estimated to meet or exceed the \$100,000 threshold. Delivery Orders with an estimated value of less than \$100,000 will not be subject to a DBE requirement.

Recommendation:

That the Board approve additional budgeted funding to further support the Basic Ordering Agreements (BOAs) for On-call Technical Consultant services in labor negotiations/and expert witness services for any further interest arbitration contingencies in FY 2006.