MEETING AGENDA

AGC – Defense Agencies Joint Session: NAVFAC & USACE  1:30 PM – 3:00 PM

Welcome and Introductions

Tyler Stephens
Chair, AGC Corps of Engineers Committee—Military Construction

Stan Ekren
Chair, AGC Corps of Engineers Committee—Civil Works

Defense Agencies Joint Session: NAVFAC & USACE

Additional NAVFAC & USACE Personnel

AGC Questions for NAVFAC & USACE

1. PLA Executive Order
AGC is expecting the final regulations that will implement President Biden’s Executive Order mandating Project Labor Agreements (PLAs). When in effect, this regulation will require every prime contractor and subcontractor to engage in negotiation or agree to PLAs on federal construction projects valued at $35 million or more. (AGC of America comments) According to an AGC of America analysis of data obtained via a Construction Advocacy Fund-financed lawsuit under the Freedom of Information Act, the Department of Defense federal construction agencies rejected PLA mandates 99.4 percent of the time even when encouraged to do so under the Obama Administration.

Questions:
A. AGC members to provide feedback on the potential impacts to NAVFAC and USACE projects.
B. How does NAVFAC and USACE intend to apply this on its projects?
C. How does NAVFAC and USACE intend to pursue exemptions for its programs?

2. Speed to Award
Awarding projects and quickly beginning work has long been a priority for GSA and AGC. Quickly awarding projects help USACE and AGC members mitigate the many risks and uncertainties that currently face USACE projects.
Questions:
A. What initiatives from USACE will help increase the speed to award?
B. What recommendations do AGC members have?
C. What can USACE do to reduce instances where AGC members are asked to hold bids?

3. Early Contractor Involvement (ECI) Program
AGC members report seeing Early Contractor Involvement (ECI) as a project delivery method in some solicitations. AGC believes that the federal agency and construction contractors are in the best position to determine the appropriate project delivery method.

Questions:
A. Please give an update on the status of ECI projects and any initiatives.
B. Are there plans to request more feedback from AGC and the industry?
C. Are there any other project delivery methods not currently used in construction that is under consideration?

4. Training Program
AGC believes that training in project-level partnering as committed team members with USACE will improve project execution, staff efficiency (USACE, NAVFAC, and contractors), safety, trust, and the project team relationships.

Questions:
A. What training is given to key decision makers (i.e. Design Manager, Contracting Officer, Contract Specialist, Project Manager, and Operation Manager, FEAD Director, Public Works Officer, etc.) that encourages engagement and problem-solving with federal contractors?
B. Is NAVFAC and USACE open to more contractor participation in federal training programs?

5. Partnering
USACE, NAVFAC, and AGC members have a long history of partnering to deliver the high-quality infrastructure projects in a safe and effective manner. AGC members have embraced partnering and are committed to bringing key decision makers into the fold in order to get the most out of the process. We see an opportunity to improve the process by getting a commitment from all parties attending to bring key decision makers.

Questions:
A. NAVFAC and USACE is requiring/mandating more frequently in contracts, are metrics being tracked and if so which ones and can they be shared. Are other improvements being implemented as previously suggested by AGC.
B. NAVFAC and USACE to provide an update on partnering goals or initiatives.
C. How does NAVFAC and USACE ensure that partnering is actually followed through and abided by?
D. What metrics are tracked from the date of partnering through project completion?
E. How can AGC assist in providing help to contractors on Partnering training, expectations, best practices, etc.

General Questions
Open questions from the floor?