

Federal Agency Project Labor Agreement Surveys

In anticipation of the Biden administration expanding its use of [government-mandated project labor agreements](#) while the FAR Council rulemaking is underway on President Biden's Executive Order 14063—which requires PLAs on federal construction contracts of \$35 million or more—ABC National government affairs staff have created this resource to serve as a refresher and guide for the federal agency PLA survey process. ABC National stands ready to assist chapters and members in responding to these solicitations as part of our continued fight against government-mandated PLAs on federal construction contracts.

Federal agencies, including the U.S. Army Corps of Engineers and Naval Facilities Engineering Systems Command, solicit comments from the construction community about potential PLA mandates on large-scale construction projects at locations owned and operated by the federal government. Examples include military bases and installations across the country where the government intends to spend more than \$25 million to build new assets or repair and improve existing facilities.

ABC has been leading the successful fight against PLAs in federal contracting and has responded to hundreds of [PLA surveys issued by](#) federal agencies requesting information about the potential use of PLAs on specific construction projects across the country. These are posted as a result of regulations and federal agency policies stemming from [President Obama's pro-government-mandated PLA EO 13502](#), which encourages federal agencies to mandate PLAs on a case-by-case basis for federal construction projects exceeding \$25 million in total cost and permits state and local governments procuring federally assisted construction contracts to mandate PLAs. We expect federal agencies to continue their PLA surveys for federal projects at the \$25 million threshold until the FAR Council issues new regulations implementing EO 14063.

Process:

1. ABC National is typically made aware of federal agency surveys on [sam.gov](#) either by a chapter and/or member or via Google alerts.
2. ABC National staff creates a PLA survey template response in the form of a Word document specific to the project solicitation notice for members to use and customize.
3. ABC National posts an update to [TheTruthAboutPLAs.com](#) to alert the public.
4. ABC National sends an email with the PLA survey response template to the appropriate stakeholders in the surrounding region—chapter presidents, GA staff, federal contractor members, etc.—with detailed instructions.
5. ABC National asks survey respondents to BCC NoPLAsFed@abc.org on emails to the federal agencies. This allows ABC National staff to monitor correspondence and the project in case a PLA is eventually mandated and legal action must be taken.

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How chapters can help:

1. Compile a list of your federal contractor members and their contact information to share with ABC National.
2. Forward PLA survey templates to appropriate members via a distribution list when alerted by ABC National and encourage them to respond.
3. Monitor and pass along member feedback to help optimize this process in future years.
4. Spread the word. To date, this process worked during the Obama, Trump and Biden administrations. There have been no PLAs mandated on projects subject to federal agency PLA surveys. In addition, In addition, we have [defeated individual PLAs with GAO bid protests against federal PLA mandates](#). (We have won all five bid protests filed.)
5. Members can support our fight using effective public relations, grassroots, legislative and legal tactics by making a personal or corporate donation at freeenterprisealliance.org/donate.
6. Help members stay up to date with the latest developments on government-mandated PLAs by promoting TheTruthAboutPLAs.com, [@TruthAboutPLAs](https://twitter.com/TruthAboutPLAs) on Twitter and [TheTruthAboutPLAs](https://www.facebook.com/TheTruthAboutPLAs) on Facebook.

Questions?

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