

**AMENDMENT NO. 1 TO THE
FIRST AMENDED AND RESTATED CITYWIDE PROJECT LABOR AGREEMENT
FOR THE CITY OF SAN JOSE**

WHEREAS, on March 28, 2019, the City of San Jose (“City”) and the Santa Clara and San Benito Counties Building and Construction Trades Council (“Building Trades Council”), on behalf of its affiliated local Unions, entered into a Citywide Project Labor Agreement for the City of San Jose; and

WHEREAS, on June 3, 2022, the City and the Building Trades Council, on behalf of its affiliated local Unions, entered into the First Amendment and Restated Citywide Project Labor Agreement for the City of San Jose (“Project Labor Agreement”), which incorporated certain amendments authorized by the Mayor and City Council on December 14, 2021; and

WHEREAS, since its adoption, the Project Labor Agreement has promoted the efficiency of construction operations for the City and promoted the public interest in timely and economical completion of public works projects; and

WHEREAS, the City has continued to experience positive benefits from the Project Labor Agreement and from an ongoing relationship with the Building Trades Council and its affiliated local Unions; and

WHEREAS, the Building Trades Council has represented to the City that it has authority to execute this Amendment on behalf of its affiliated local Unions; and

WHEREAS, the City and the Building Trades Council now mutually desire to extend the term of the Project Labor Agreement and allow for successive term extensions unless the Project Labor Agreement is further amended or terminated.

NOW, THEREFORE, IT IS HEREBY AGREED BETWEEN THE PARTIES TO AMEND THE PROJECT LABOR AGREEMENT AS FOLLOWS:

- 1) Section 18.2 of the Project Labor Agreement shall be removed and replaced in its entirety, as follows:

18.2 This Agreement shall become effective two weeks after it is executed by the City and by the Building Trades Council and shall continue in full force and effect until March 28, 2029. Prior to the expiration date, and each five (5) year expiration date thereafter, the City and the Building Trades Council shall meet to discuss proposed changes, if any, to the Agreement. Absent changes, the Agreement will continue in effect for an additional five (5) years. This Agreement shall also apply until Completion of each respective Project in accordance with Sections 1.4 and 2.2, except as to those provisions that expressly survive the termination of this Agreement.

- 2) Other than as explicitly set forth herein, this Amendment No. 1 shall make no other changes, modifications, additions, or deletions to the Project Labor Agreement.
- 3) This Amendment No. 1 shall be attached to and included with the Project Labor Agreement for all intents and purposes, including all bid solicitations or similar documents issued by the City, and shall continue in full force and effect concurrently with the Project Labor Agreement.
- 4) This Amendment No. 1 shall become effective when executed by the City and the Building Trades Council.

Dated: _____

CITY OF SAN JOSE

Name:

Title:

Dated: _____

SANTA CLARA AND SAN BENITO COUNTIES
BUILDING AND CONSTRUCTION TRADES
COUNCIL

David Bini, Executive Director