

## RESOLUTION NO. 16-17

### A RESOLUTION OF THE GOVERNING BODY OF THE FORT ORD REUSE AUTHORITY AMENDMENT TO MASTER RESOLUTION SECTION 3.03.090 (b)(c) PREVAILING WAGE AND REGISTRATION REQUIREMENT WITH DEPARTMENT OF INDUSTRIAL RELATIONS

**WHEREAS**, the Fort Ord Reuse Authority ("FORA") adopted Ordinance No. 95-01 establishing a Procurement Code requiring prevailing wages to be paid to all workers employed on FORA's construction contracts; and,

**WHEREAS**, the Fort Ord Reuse Authority Master Resolution ("MR") was adopted originally by Ordinance No. 97-01 to establish the "governing code" by which FORA's operation of its powers and authority would be deployed in the Monterey Bay Region's recovery from Fort Ord closure; and,

**WHEREAS**, the Fort Ord Reuse Authority has adopted an amendment to the Master Resolution requiring the payment of Prevailing wage on former Fort Ord projects; and,

**WHEREAS**, the FORA Board of Directors ("Board"), at its January 8, 2016 meeting, authorized the inclusion of a requirement that all contractors and subcontractors for First Generation Construction projects on the former Fort Ord register with the California Department of Industrial Relations (DIR) as specified by the California Labor Code 1725.5; and,

**WHEREAS**, the FORA Board, at its January 8, 2016 meeting, authorized FORA to assist individual jurisdictions with monitoring and enforcement of the FORA prevailing wage policy; and,

**WHEREAS**, the FORA Board intends this requirement to take effect from and after adoption of this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the Fort Ord Reuse Authority hereby adopts the amendments to its Master Resolution 3.03.090 adding amendments (a)(b)(c)(d) requiring registration with the California Department of Industrial Relations for:

*(a) All contractors performing "First Generation Construction" must be registered and in good standing with the California Department of Industrial Relations (DIR) as defined in California Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a).*

*(b) Evidence of compliance with this Master Resolution provision and any specific or additional enforcement action must be submitted to the Fort Ord Reuse Authority when any land use decision is submitted for Base Reuse Plan consistency concurrence/determination.*

*(c) Member agencies must include language in all of their contracts and deeds for the conveyance, disposition and/or development of former Fort Ord property to*

give notice of and assure compliance with the policy set forth above in subsections 3.03.090(a) and (b).

(d) FORA staff will assist jurisdictions to monitor and comply ~~with this section at the time of and as part of FORA's consistency determination under Chapter 8 of this Master Resolution.~~

**ADOPTED** this 8th day of January, 2016 by the Fort Ord Reuse Authority by the following roll call votes listed by name:

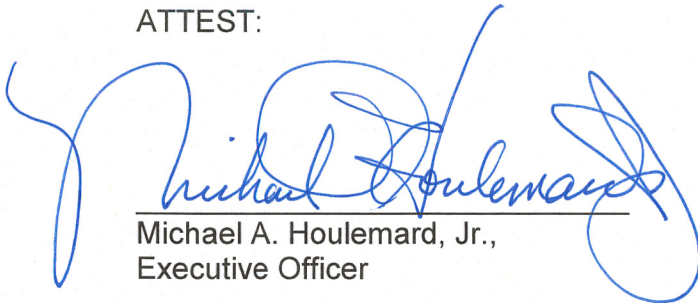
AYES: O'CONNELL, EDELEN, RUBIO, MORTON, PARKER,  
PENDERGRASS, HAFFA, GUNTER, OGLESBY

NOES: LUCIUS, PHILLIPS

ABSTENTIONS:

ABSENT: BEACH, POTTER

ATTEST:



Michael A. Houlemard, Jr.,  
Executive Officer

APPROVED:



Frank O'Connell, FORA Board Chair