52.222-33 Notice of Requirement for Project Labor Agreement.

As prescribed in 22.505(a)(1), insert the following provision:

Notice of Requirement for Project Labor Agreement (Jan 2024)

(a) *Definitions*. As used in this provision, the following terms are defined in clause 52.222-34, Project Labor Agreement, of this *solicitation* "*construction*," "labor organization," "large-scale *construction* project," and "project labor agreement."

(b) *Offerors shall*—

(1) Negotiate or become a party to a project labor agreement with one or more labor organizations for the term of the resulting *construction* contract; and

(2) Require its subcontractors to become a party to the resulting project labor agreement.

(c) The project labor agreement reached pursuant to this provision *shall*-

(1) Bind the *Offeror* and subcontractors engaged in *construction* on the *construction* project to comply with the project labor agreement;

(2) Allow the *Offeror* and all subcontractors to compete for contracts and subcontracts without regard to whether they are otherwise parties to collective bargaining agreements;

(3) Contain guarantees against strikes, lockouts, and similar job disruptions;

(4) Set forth effective, prompt, and mutually binding procedures for resolving labor disputes arising during the term of the project labor agreement;

(5) Provide other mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work, safety, and health; and

(6) Fully conform to all statutes, regulations, Executive orders, and agency requirements.

(d) Any project labor agreement reached pursuant to this provision does not change the terms of the resulting contract or provide for any price adjustment by the Government.

(e) The *Offeror shall* submit to the *Contracting Officer* a copy of the project labor agreement with its *offer*.

(End of Provision)

Alternate I (Jan 2024). As prescribed in 22.505 (a)(2), substitute the following paragraphs (b) and (e) for paragraphs (b) and (e) of the basic provision.

(b) The apparent successful *offeror shall*—

(1) Negotiate or become a party to a project labor agreement with one or more labor organizations

for the term of the resulting *construction* contract; and

(2) Require its subcontractors to become a party to the resulting project labor agreement.

(e) The apparent successful *offeror shall* submit to the *Contracting Officer* a copy of the project labor agreement prior to contract award.

Alternate II (Jan 2024). As prescribed in 22.505 (a)(3), substitute the following paragraph (b) in lieu of paragraphs (b) through (e) of the basic provision:

(b) If awarded the contract, the *Offeror shall*—

(1) Negotiate or become a party to a project labor agreement with one or more labor organizations for the term of the resulting *construction* contract; and

(2) Require its subcontractors to become a party to the resulting project labor agreement.

Alternate III (Jan 2024). As prescribed in 22.505 (a)(4), substitute the following paragraph (b) in lieu of paragraphs (b) through (e) of the basic provision:

(b)(1) If awarded the contract, the *Offeror may* be required by the agency to negotiate or become a party to a project labor agreement with one or more labor organizations for the term of the order. The *Contracting Officer* will require that an executed copy of the project labor agreement be submitted to the agency—

(i) With the order *offer*;

(ii) Prior to award of the order; or

(iii) After award of the order.

(2) The *Offeror shall* require its subcontractors to become a party to the resulting project labor agreement for the term of the order.

Parent topic: 52.222 [Reserved]