

## GSA ORDER

Subject: General Services Administration Acquisition Manual; GSAM Case 2022-G515, Project Labor Agreements

1. Purpose. This order transmits a revision to the General Services Administration Acquisition Manual (GSAM) to implement Executive Order 14063 *Use of Project Labor Agreements (PLAs) For Federal Construction Projects*.
2. Background. On February 4, 2022, the President signed Executive Order (E.O.) 14063 *Use of Project Labor Agreements for Federal Construction Projects*. The E.O. focused on two significant points: 1) mandating the use of PLAs for large-scale construction projects and 2) outlining conditions in which an agencies' Senior Procurement Executive may justify the granting of exceptions to the use of PLAs before issuing the solicitation.

On December 18, 2023, the Office of Management and Budget (OMB) issued M-24-06 *Use of Project Labor Agreements on Federal Construction Projects*<sup>1</sup>. The OMB memorandum provided additional guidance to supplement the E.O., including reporting and training requirements.

On December 22, 2023 the FAR team published the final rule for FAR Case 2022-003 *Use of Project Labor Agreements for Federal Construction Projects*<sup>2</sup> which implemented the requirements in E.O. 14063. The changes to FAR Subpart 22.5 became effective on January 22, 2024.

3. Effective date. April 29, 2024
4. Explanation of changes. This amendment includes non-regulatory changes. For full text changes of the amendment see Attachment A, GSAM Case 2022-G515 Text Line-In/LineOut.

This amendment revises the language in the following GSAM subparts as summarized below:

507.1 Acquisition Plan

- Amended 507.104(b) to add a new paragraph (3) which includes the requirement to determine in the acquisition planning process whether the specific construction project should use PLAs or apply for an exception. Renumbered existing text following accordingly.

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<sup>1</sup> See [OMB M-24-06](#)

<sup>2</sup> See [88 FR 88708](#)

## 522.5 Use of Project Labor Agreements for Federal Construction Projects

- Added new Subpart 522.5.
  - Added 522.501 *Scope of subpart* describing the purpose of the subpart. This new subpart
    - Provides general policies
    - Prescribes the policy and procedures for exceptions to using PLAs
    - Provides procedures for reporting the use of PLAs
  - Added 522.505 *Solicitation provision and contract clause*.
    - Added paragraph (a) to provide guidance on submission timing alternates
    - Added paragraph (b) sample synopsis language for each alternate.
  - Added 522.570 *Additional requirements for acquisitions involving project labor agreements* providing GSA specific guidance for using PLAs.
  - Added 522.570-1 *General*
    - Added paragraph (a) to clarify applicability of the guidance to large-scale construction projects unless certain conditions are met.
    - Added paragraph (b) to outline the approval process for requesting a PLA exception from the SPE.
    - Added paragraph (c) to outline the reporting requirements for PLA usage and exceptions.
  - Added 522.570-2 *Notifications*
    - Added paragraph (a) to outline the notification granted exceptions to the use of PLAs and contracts using PLAs.
    - Added paragraph (b) to provide instructions for public posting.
5. Cancellations. With the publication of FAR Case 2022-003 and this GSAM Change, PBS PIB 11-05, Amendment 01 is no longer active.
6. Point of contact. For clarification of content, contact Johnnie McDowell, GSA Acquisition Policy Division, at [gsarpolicy@gsa.gov](mailto:gsarpolicy@gsa.gov).

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## GSAM Case 2022-G515

### GSAM Text, Line-In/Line-Out

#### GSAM Baseline: Change 178 effective 3/25/2024

- Additions to baseline made by rule are indicated by **[bold text in brackets]**
- Deletions to baseline made by rule are indicated by ~~strikethroughs~~
- Five asterisks (\*\*\*\*\* ) indicate that there are no revisions between the preceding and following sections
- Three asterisks (\*\*\*) indicate that there are no revisions between the material shown within a subsection

#### Part 507 - Acquisition Planning

##### Subpart 507.1 - Acquisition Plans

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##### 507.104 General procedures.

(a) The planner shall: \*\*\*

(b) The contracting officer shall:

(1) \*\*\*

(2) \*\*\*

**[(3) Ensure that a determination has been made on large-scale construction projects, as defined in [FAR 22.502](#), whether to use Project Labor Agreements (PLAs) or submit an exception request. If an exception to the PLA is contemplated, the contracting officer shall follow the procedures at 522.570-1.**

~~[(4)3] Ensure that the contract file contains a copy of the approved acquisition plan.~~

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#### Part 522 - Application of Labor Laws To Government Acquisitions

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##### [Subpart 522.5 Use of Project Labor Agreements for Federal Construction Projects]

##### [522.501 Scope of subpart.

GSA's contracting officers must require the use of project labor agreements (PLAs) in accordance with [FAR 22.5](#), unless an exception has been granted by the Senior Procurement Executive (SPE). This subpart -

(a) Provides general policies regarding PLAs;

**(b) Prescribes the policy and procedures for implementing exceptions to the PLA requirement; and**

**(c) Provides detailed procedures for reporting the use of PLAs and the exceptions granted for PLAs, as required by the Office of Management and Budget (OMB)]**

**[522.505 Solicitation provision and contract clause.**

**(a) *PLA submission timing alternates.***

**(1) Contracting activities are encouraged to review FAR provision 52.222-33 and its alternates to determine which one is appropriate for the particular project. Pursuant to FAR 22.505, the contracting officer may require submission of the PLA by all offerors, by the apparent successful offeror prior to award, or by the awardee after contract award. The contracting officer's decision may be influenced by time constraints on contract award, the project delivery method, or the experience of the potential offerors with PLAs.**

**(2) Contracting activities should consider the benefits of using the alternate clauses, the effect on contract award and contract performance.**

**(3) Contracting activities must decide when and what PLA documentation is required for the procurement and identify the requirements in the solicitation. For each acquisition with a mandatory PLA, contracting activities need to decide whether to require offerors to-**

**(i) Submit the fully signed PLA or draft PLA with the offer submission;**

**(ii) Submit the fully signed PLA from only the apparent successful offeror, prior to contract award; or**

**(iii) Submit the fully signed PLA after the contract is awarded (e.g., 30/60/90 days after award of the contract or prior to the construction start notice to proceed).**

**(b) *Synopsis.* For procurements that use PLAs, contracting activities shall include language that identifies the solicitation as a PLA project. Sample language can be found on the Project Labor Agreement topic page of the GSA Acquisition Portal at <https://insite.gsa.gov/acquisitionportal>.]**

**[522.570 Additional requirements for acquisitions involving project labor agreements.]**

**[522.570-1 General.**

**Resources for project labor agreements can be found on the Project Labor Agreement topic page of the GSA Acquisition Portal at <https://insite.gsa.gov/acquisitionportal>.**

**(a) *Applicability.***

(1) *General.* Contracting officers must determine if the requirement is considered a large-scale construction project (see [FAR 22.502](#)). If it is, require the use of a project labor agreement unless the SPE grants an exception listed in [FAR 22.504\(d\)\(1\)](#).

(2) *Indefinite-Delivery, Indefinite-Quantity (IDIQ) Contracts for Construction.* Requests for an exception from the FAR requirement (see [FAR 22.504\(d\)\(3\)](#)) to apply to all orders under a particular IDIQ shall be submitted to the SPE at a level no lower than the Assistant Commissioner for the PBS Office of Acquisitions.

**(b) *Process for Requesting Exceptions.***

Contracting officers shall obtain approvals for exceptions to using PLAs on large-scale construction projects from the SPE by following the steps found on the Project Labor Agreement topic page of the GSA Acquisition Portal at <https://insite.gsa.gov/acquisitionportal>.

**(c) *Reporting.***

(1) For large-scale construction projects, the contracting officer must report information to the Office of Government-wide Policy (OGP) as follows:

(i) For projects granted an exception by the SPE, within one day of the time of solicitation issuance; or

(ii) For contracts and orders awarded with PLA requirement, within one day of the time of award.

(2) Contracting officers must use the reporting documents provided on the Project Labor Agreement topic page of the GSA Acquisition Portal at <https://insite.gsa.gov/acquisitionportal> to provide the information.]

**[522.570-2 Notifications.**

**(a) *Notification to OMB of GSA PLA usage and exceptions.*** OGP will:

(1) Collect data on the number of GSA contracts awarded using PLAs, as required by OMB guidance, through the use of trackers and adhoc reports from [SAM.gov](#) as required by OMB guidance.

(2) Collect data on exceptions granted by the SPE as required by OMB guidance.

(3) Complete OMB reporting requirements on a transactional basis for all:

(i) Exceptions granted within three (3) business days of issuance of the solicitation, and

(ii) Contracts and orders awarded with PLA requirements within three (3) business days of contract award to

[MBX.OMB.OFPPv2@OMB.eop.gov](mailto:MBX.OMB.OFPPv2@OMB.eop.gov)

**(b) *Public Posting.*** GSA and OMB will post all agency exceptions and use of PLA reports on the Acquisition Gateway at <https://acquisitiongateway.gov/additional-resources/resources/5014>.]

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