**PROPOSED WORK SITE AGREEMENT (WSA)**

**A. Work Site Agreement**

**Work Site Agreements (WSA’s)** establish the terms of employment for all workers on a project. Generally, WSA’s specify wages and benefits and include procedures for resolving employment disputes, thereby ensuring the efficient and timely completion of the project. WSA’s also help ensure worker health and safety protections while providing an opportunity for workforce development.

1. Work Site Agreement Required

Austin Energy requires that Company use every reasonable effort to negotiate and agree to a WSA with the state building and construction trades council, if applicable. This requirement does not apply to Company’s full-time, permanent employees already subject to a collective bargaining agreement.

2. Covered Work

Project work covered under the WSA (“Covered Work”) includes site preparation, surveying, remediation, construction, installation, and related activities for the Project, that is carried out in relation to providing energy, capacity, and associated environmental attributes to Austin Energy under the PPA.

3. Work Site Agreement Terms

The terms negotiated under the Work Site Agreement must:

a. bind all contractors and subcontractors engaged in Covered Work on the construction project through the inclusion of appropriate specifications in all relevant solicitation provisions and contract documents;

b. allow all contractors and subcontractors on the construction project to compete for contracts and subcontracts without regard to whether they are otherwise parties to collective bargaining agreements;

c. contain guarantees against strikes, lockouts, and similar job disruptions;

d. set forth effective, prompt, and mutually binding procedures for resolving labor disputes arising during the term of the work site agreement;

e. provide other mechanisms for labor-management cooperation on matters of mutual interest and concern, such as safety, hazard avoidance, wages, and workforce development; and

*[In addition to meeting the baseline WSA requirements above, bidders will be awarded additional credit (methodology TBD) in the RFP evaluation if they agree to the following additional terms.]*

g. provide training and registered apprenticeship programs that engage the local population;

h. provide job opportunities to local workers;

i. provide for inclusive hiring goals that seek to provide jobs to underrepresented groups, focusing first on increasing racial diversity, and also including women, formerly incarcerated individuals, and veterans.

4. Documentation of Efforts to Reach Work Site Agreement

If Company is unable to come to terms on a Work Site Agreement with the workforce performing the Covered Work, Company must provide documentation sufficient to demonstrate it used every reasonable effort to enter into such agreement but was still unable to do so. If efforts have not been sufficiently demonstrated, Austin Energy may terminate this contract without penalty or require assurances from Company that adequate labor, wage, and safety standards for the Project are in place without a WSA, such that Austin Energy’s objectives in protecting workers are met.

IN WITNESS WHEREOF, the successful bidder has agreed to the terms of the WSA as of the day and year first herein written.

Company:

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_