

March 14, 2017

United States Senate  
Washington, D.C. 20510

Dear Senator:

The diverse group of undersigned construction and business associations writes in strong support of Sen. Jeff Flake's (R-Ariz.) Fair and Open Competition Act (S. 622), which ensures fair and open competition on federal and federally assisted construction contracts.

S. 622 would prevent federal agencies and recipients of federal assistance from requiring contractors to sign an anticompetitive and costly project labor agreement (PLA) as a condition of winning a federal or federally assisted construction contract. It also would eliminate discriminatory PLA preference policies that discourage competition during the procurement of taxpayer-funded construction projects.

A PLA is a collective bargaining agreement unique to the construction industry that typically requires companies to agree to recognize unions as the representatives of their employees on that job; use the union hiring hall to obtain workers; follow union work rules; and pay into union benefit and multi-employer pension plans that nonunion employees will be unlikely to access. This forces employers to pay "double benefits" into existing plans and union plans.

contact Nick Morrison (Nick\_Morrison@flake.senate.gov) in Sen. Flake's office and ask to cosponsor S. 622.

Your support of the Fair and Open Competition Act will create a level playing field in the procurement of government construction contracts, increase competition, help businesses grow, curb construction costs and spread the job creating benefits of federal and federally funded contracts throughout all the construction industry.

Sincerely,

Associated Builders and Contractors (ABC)  
Associated General Contractors (AGC)  
U.S. Chamber of Commerce  
National Federation of Independent Business (NFIB)  
National Association of Home Builders (NAHB)  
National Black Chamber of Commerce (NBCC)  
Small Business & Entrepreneurship Council (SBEC)  
U.S. Pan Asian American Chamber of Commerce (USPAACC)  
American Council of Engineering Companies (ACEC)  
American Road & Transportation Builders Association (ARTBA)  
Business Coalition for Fair Competition (BCFC)  
Construction Industry Round Table (CIRT)  
Electronic Security Association (ESA)  
Independent Electrical Contractors (IEC)

cc: United States Senate