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# Trades Sign MOA for \$900 Million Longview Phase 2

Longview Power and the North Central WV Building Trades Council have entered into a Memorandum of Agreement (MOA) to build a \$900 million gas-powered electric generating project planned near Morgantown.

The agreement means Longview will require all contractors hired to enter into a Project Labor Agreement and use local union construction workers.

Already at the location is the most efficient coal-fired power plant in the nation and perhaps in the world.

The state-of-the-art 700-megawatt coal fired facility came online in 2011.

A 1,200-megawatt natural gas power generation facility will be added at a cost of approximately \$900 million. A \$30 million, 6.2-mile, 20-inch natural gas pipeline will supply the fuel.

In addition a \$70 million, 50-megawatt solar energy complex will also be built on 60 acres adjacent

to the plant, primarily in Pennsylvania.

The company submitted their application for a siting permit to the state Public Service Commission in late September. The MOA, covering the gas unit, will be entered as evidence to show the commitment to

local construction hiring and significant positive impact that will have on the economy.

“People often overlook the huge impact local construction hiring makes in our economy,” said Natalie Stone, Executive Director of the North Central WV Building Trades.

If all goes as planned the PSC permit should be in place by mid-2020. A long list of other permits such as environmental, cultural and historic reviews, wildlife, etc. are also required. Pending financing the project could start in 2020 and be on-line by late 2023. ■



Stephen Nelson, Chief Operating Officer for Longview Power, gives a presentation to the WV State Pipe Trades on September 26 about the gas and solar electric project proposed near Morgantown.

## Big Quality Problems on Schools Without Prevailing Wage in Fayette County

Problems with new school construction projects in Fayette County are adding to mounting evidence showing the repeal of the state prevailing wage law is costing taxpayers, parents and children in many ways.

Two new schools, Collins Middle School and Oak Hill Pre-Kindergarten to grade 2 school (referred to as

PK-2) are adjacent to each other and were bid separately in February and March of 2018.

General contractor Radford and Radford Inc. of Beckley was low bid on both projects with a general trades package at \$7,253,900 for the Collins Middle School and \$6,420,000 for the PK-2 School.

Both projects were to be completed by June 30 of 2019 and both projects used a multiple prime method of awards. That meant HVAC, Plumbing, Electrical, Roofing and other portions of the job had direct contracts with the Board of Education and were managed by a CM.

With the scheduled completion

date only days away the architect for the projects, ZMM, sent a series of letters rejecting the concrete floors and masonry veneer at both projects plus ceiling tile at the PK-2 school.

In a June 28, 2019 letter Radford and Radford is told “ZMM rejects all of the polished concrete floors in the

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# Mercer School Construction Project Three Months Past Completion Deadline

Almost three months past the planned opening date a Mercer County School remains incomplete.

Mountain Valley Elementary School in Mercer County was bid in March of 2018 with a planned completion date of July 16, 2019. The school is still not done as of early October.

DCI/Shires Inc. was low bidder for the General Trades part of the project and signed a contract with the Mercer Board of Education in April of 2018 for \$8.75 million.

In November of 2018 citing weather problems, the contractor asked for and was granted a 43-day extension to complete the 42,000 square foot Pre-K to fifth grade school project moving the completion date to August 28, 2019.

However, according to sources in the area DCI/Shires was behind on

a big project for the Boy Scouts and some question if they had enough skilled manpower for both jobs.

Payroll documents show most DCI/Shires employees were paid between \$10 and \$19 per hour which is well below the going rate for qualified

skilled construction labor.

"The failure to complete projects on-time has really increased since our state prevailing wage law was repealed," observed Luke Begovich, a representative of the Keystone-Mountain-Lakes Regional Council of Carpenters. "In my opinion contractors who pay low wages are having a hard time at-

tracting the workforce needed to get these jobs done on-time."

Documents from the project show the architect sent "Notice of insufficient progress" letters to both DCI/Shires and Pennington Plumbing and

Heating in June of 2019 stating they were 14 days behind the extended completion date.

On July 15, 2019 another time extension was granted pushing the completion date to October 1, 2019.

On August 12 another change order was approved, and the time was

extended to October 6. However, the project was still not done.

"Instead of having this school open on time for the new school year the County has a problem," said Begovich. "The taxpayers are getting a bad deal and the students are not in their new school." ■

## Big Quality Problems

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Collins Middle School."

The letter points to "crazing cracks that are indicative of failure to meet Specification ... The crazing cracks diminish the aesthetic of the floor greatly and the building overall."

In addition, the letter notes the floors failed due to non-compliance with uniformity of surface finish, uniformity of exposed aggregate, and uniformity of color.

The letter also states, "Specification 031200 Earth Moving details subsurface preparation that would result in concrete without any settlement cracking. The slabs at PK-2 do contain settlement cracking which is indicative of failure to meet the specification requirements."

"Lack of protection of the polished concrete floors has ruined many areas of the floor."

The July 29, 2019 letter from ZMM outlines issues regarding the rejected polished concrete floor work at each school.

"Correction or remediation of the concrete flooring will require the removal of furniture and fixtures, extensive work, cleaning, and return of the furniture and fixtures to the building, none of which can be accomplished while school is in session."

Radford and Radford's bonding company was copied on both letters.

In a second June 28, 2019 letter the GC is told "The masonry veneer installed at the PK-2 school does not meet the benchmark standards of the mock-up nor the construction documents."

One reason given was a repeated cleaning of the brick with an acid wash and wire brush.

"The brick and cast stone can only take so much cleaning abuse before the protective layer of the firing fails or further unacceptable issues are exhibited."

In a September 4, 2019 letter Radford & Radford is informed a mock-up to be used for a reference on exterior masonry caulking was rejected.

ZMM wrote, "The workmanship of the mockup is not approved. Radford and Radford has not provided an acceptable mockup to date. As a result of this unfinished work, water infiltration has occurred at the exterior canopies which has damaged interior drywall."

Another September 4, 2019 letter from ZMM references "Brown Spotting on Ceiling Tile" at the PK-2 school. A letter from Rockfon, the tile manufacturer, and their proposed warranty claims process was deemed "unacceptable."

"For the 'Brown Spotting issue' that has been brought to Radford and Radford as well as Rockfon's attention there can be no 'exclusions' or 'limitations' and must be completely covered for full replacement for both material and labor."

"This level of rejection and quality issues for school projects is really unprecedented in West Virginia," said Paul Breedlove, Business Manager of the Charleston Building Trades. "It is only since the repeal of prevailing wage that we have seen problems of this magnitude." ■

"In my opinion contractors who pay low wages are having a hard time attracting the workforce needed to get these jobs done on-time."

**Luke Begovich**

*Keystone-Mountain-Lakes  
Regional Council of Carpenters*



Tim Armstead and Mitch Carmichael who led the effort to destroying prevailing wage have their names prominently on the Mountain Valley Elementary School sign. The school is months past the planned completion date which costs children, parents and taxpayers.

# Independent Contractor Scam Shut Down

Southern Heritage Contractors, Inc. from Georgia was caught unlawfully calling their construction worker employees independent contractors. They were not.

The abuse of independent contractor status is part of the illegal underground economy.

It is getting more common in West Virginia as it is increasingly used across the country.

Sean Currey of Iron Workers Local 549 approached Southern Heritage when he saw them struggling to make progress on a project near Morgantown.

The project is a new facility for GritStone Climbing + Fitness, LLC in Saberton where Rising Sun Construction, LLC is the GC. The owner of Rising Sun appears to also be an

owner of GritStone.

The company agreed to hire two Iron Workers but when the workers asked where to file their tax information they got a strange response.

“They were told there were no taxes, all workers are independent contractors,” said Currey.

The union workers also noticed others on the project had little safety training or equipment.

They mentioned the fact to their site superintendent. The next day they were laid off.

With assistance from ACT it was learned the contractor did not have a WV contractors license, workers compensation coverage, or any corporate registration with the Secretary of State’s office.

“We asked DOL to check the job

and they shut them down,” said Currey.

The local workers also filed a complaint with OSHA because they were laid off for pointing out safety issues.

The state tax department was also called in to investigate.

“Our workers and contractors can compete against anyone if it is fair competition,” said Currey. “But we can’t compete against cheaters.”

Curry called the GC to see if they wanted a local qualified contractor and they hung up on him. ■

# Painters DC 53 Wins Award for Excellence

West Virginia’s Painters District Council 53 was awarded the General President’s Award for Excellence in Organizing at the International Union of Painters and Allied Trades 32nd General Convention held in Las Vegas earlier this year.

The award is only given once every five years to the Council which

has demonstrated groundbreaking approaches to organizing. DC 53’s Annual Coating & Corrosion Expo, which has been modeled by other councils, was noted. Another innovation is DC 53’s use of payroll with engineering reports to focus on bridge painting as an industry rather than one contractor. ■



Pictured are (from left) General Executive Board members of the International Union of Painters and Allied Trades James A. Williams, Jr., George Galis, Brian Stanley (DC 53’s Director of Organizing), General President Kenneth E. Rigmaiden, Dan Poling (DC 53’s Business Manager), and William D. Candelori, Jr.

## Educating the Public About Appalachian



Members of Sheet Metal Workers Local 33 stand outside Jarrett Construction headquarters in Charleston to educate the public about Appalachian Heating, a subcontractor used by Jarrett.

## National Alliance for Fair Contracting



ACT Research Director Lesly Messina (second from right) was a presenter at the National Alliance for Fair Contracting Conference held in Boston last month. Messina talked about ACT’s documentation of the negative effects from prevailing wage repeal, especially on school construction.

# MPLX/MarkWest Expands in Doddridge

MPLX, the parent company for MarkWest (now a subsidiary of Marathon Petroleum Corp.) has opened a new location in Doddridge County called Smithburg.

In early September the North Central WV Building Trades and Chapman Construction signed an agreement to build phase one at

Smithburg, which includes a cryogenic plant and a de-ethanizer.

Since 2012 MarkWest/MPLX has invested billions into a huge gas processing refinery in Doddridge County called Sherwood located off Route 50. In 2017 MPLX entered into a partnership with Antero Resources which expanded Sherwood's capac-

ity.

"Work is ongoing on at Sherwood, but the site is almost maxed out," said Natalie Stone, North Central's Executive Director.

According to Stone, since 2012 the Trades have worked approximately 2.5 million manhours at the Sherwood and now Smithburg locations.

Sherwood has 12 cryogenic plants

on improving safety and productivity during construction.

According to Stone there are labor-management meetings with Chapman and MPLX every quarter. Core topics are a review of manpower and safety issues.

"We talk about safety, productivity, and basically keep lines of communication open between all par-



MPLX's Sam Schupbach talks to the WV State Pipe Trades at their September conference about the focus on safety at MPLX sites. One example was a review of the work permit process to make it consistent at different sites and allow the proper time to plan for each permit.

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## Parker Sworn in as New WVSBT President



Chuck Parker of Operating Engineers Local 132 takes the oath of office as President of the WV State Building Trades Council at their October 9 Executive Board meeting.

Dave Efaw, WVSBT Secretary-Treasurer, administers the oath as members of the Executive Board observe.

Parker was elected to fill the one year remaining in the four-year term as President at the September Convention.

and three de-ethanizers, the 13th cryo is under construction.

Construction of phase one has already started at the Smithburg site and should last through mid-2020. Future phases are anticipated.

"The Smithburg site is the future and we are excited to be working with Chapman on it," said Stone.

Chapman and the Trades already have a strong relationship at the Sherwood location. Together with the MPLX team they have focused

ties," said Stone.

MPLX takes natural gas called wet gas and separates the valuable liquids like ethane, propane and butane. They use super chilled temperatures in units called cryogenic or cryo's for short. Each unit can handle up to 200 million cubic feet of gas per day. The combine capacity at the Sherwood facility will exceed 2.5 billion cf/d.

In the region they have major facilities in West Virginia, Pennsylvania, Ohio and Kentucky. ■

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