

I.9.  
12/13/11

**ADDENDUM NO. TWO**  
**SAN DIEGO UNIFIED SCHOOL DISTRICT**  
**PROJECT STABILIZATION AGREEMENT**

The Board of Education of the San Diego Unified School District, its successors or assigns (hereinafter "District"), the San Diego Building and Construction Trades Council, and its Signatory Craft Unions (hereinafter, "Council") and the Southwestern Regional Council of Carpenters (hereinafter "Carpenters") hereby agree to amend the applicable Project Stabilization Agreements ("PSA") dated July 28, 2009 as follows:

The Parties acknowledge the benefits of the PSA as applied to Prop S funded projects and wish to extend the PSA for the duration of the Prop S program and to amend the PSA also to cover District Projects paid for, in whole or in part, out of public funds, within the meaning of Subdivision (b) of Section 1720 of the Labor Code, that are derived from Bonds issued by the State of California. The Parties agree that the PSA is amended to provide:

**Section 2.1 General.** This Agreement shall apply to all construction, rehabilitation and capital improvement work as described in Section 2.2 of this Article, performed by those Contractor(s) of whatever tier that have contracts, where such work is funded in whole or in part by Proposition S funds or funds derived from bonds issued by the State of California, or both sources of funding. Notwithstanding the foregoing: (i) each Covered Contract shall be awarded in accordance with the applicable provisions of California's Public Contract Code, (ii) the District has the absolute right to award Covered Contracts to the lowest responsible and responsive bidder, and (iii) the District has the absolute right to combine, consolidate or cancel contract(s) or portions of contract(s) for work on Proposition S or state bond funded Projects.

**Section 21.1 Duration.** The Agreement shall be effective July 28, 2009 for purposes of work funded under Proposition S until the completion of all Project Work.

The Parties also acknowledge the benefits of the PSA to allow for the Department of Industrial Relations to enforce compliance with applicable prevailing wage requirements on all state bond funded projects covered by the PSA without the necessity of the District to reimburse the Department of Industrial Relations the cost of monitoring and enforcing compliance with the prevailing requirements on each Project. Accordingly, the Parties will coordinate enforcement of prevailing wage requirements with the Department of Industrial Relations including initiating proceeding under Article X to resolve disputes about wages.

The Parties agree that the PSA is intended to comply and complies with Public Contract Code Section 2500-2502. The Parties reaffirm their agreement of Non-Discrimination in Referral, Employment and Contracting in amending Section 3.4:

**Section 3.4 Non-Discrimination in Referral, Employment and Contracting.** The Unions and Contractors agree that they will not discriminate and will prohibit discrimination based on race, national origin, religion, sex, sexual orientation, political affiliation, marital status, age or disability or membership in a labor organization in hiring and dispatching workers. Further, it is recognized that the District has certain policies, programs, and goals for the utilization of local Small Business Enterprises. The Parties shall jointly endeavor to assure that these commitments are fully met, and that any provisions of this Agreement which may appear to interfere with a local Small Business Enterprise successfully bidding for work within the scope of this Agreement shall be carefully reviewed, and adjustments made as may be appropriate and agreed upon among the Parties, to ensure full compliance with the spirit and letter of the District's

policies and commitment to its goals for the significant utilization of local Small Business Enterprises as direct Contractors or suppliers on Covered Work.

Each person executing this Addendum on behalf of a Party represents he or she has been authorized to execute and be bound by this Addendum by formal action of the Party and where applicable each of the affiliated unions.

This Addendum may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

SIGNATURES ON FOLLOWING PAGE

San Diego Unified School District

By: 

Southwestern Regional Council of Carpenters

By: 

San Diego Building and Construction Trades Council on behalf of their signatory craft unions, including but not limited to:

By: 

Asbestos Workers' Local 5

Boilermakers Local 92

Bricklayer & Allied Crafts Local 4

Cement Masons Local 500/Area 744

Electrical Workers Local 569

Elevator Constructors Local 18

Glaziers & Floor Coverers Local 1399

Iron Workers Local 229

Laborers Local 89

Painters & Allied Trades District Council #36

Painters & Tapers Local 333

Plasterers Local 200

Operating Engineers Local 12

Plumbers & Pipefitters Local 230

Road Sprinkler Fitters Local 669

Sheet Metal Workers' Local 206

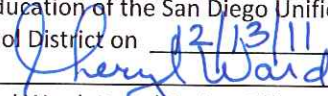
Steamfitters & Pipefitters Local 250

Teamsters Local 36


Tile, Marble & Terrazzo Local 18

Tradeshow & Sign Crafts Local 831

UA Local 345

Approved in public meeting of the Board of Education of the San Diego Unified School District on 12/13/11  
  
Cheryl Ward, Board Action Officer,  
Board of Education

**LEGALITY AND FORM APPROVED**

  
ANDRA M. DONOVAN, Deputy General Counsel  
San Diego Unified School District

Plaster Tenders of Southern California Local  
Union 1414

Laborers 1184