

FERRIS STATE UNIVERSITY

PHYSICAL PLANT

Effective: 12/03

Intent to Contract

Policy objective

To promote the judicious management of the AFSCME collective bargaining agreement Article 4, Section 3 – Subcontracting.

Policy Statement

Subcontracting of work regularly performed by the AFSCME bargaining unit may be authorized by the AVP for Physical Plant or his designee when management has determined that:

1. The work or service involved is required
2. The department(s) that may be involved in performing the work or service:
 - a. Do not have the ability, skills, or equipment
 - b. Cannot meet the planned schedule without delaying their regular assignments
 - c. Cannot perform the work cost competitively
 - d. Are not available

Application

This policy applies to all Physical Plant departments.

Policy Requirements

It is the responsibility of departments to manage subcontracting in a way that will ensure that its use is appropriate and its cost is justified.

Emergency situations will be the only exception to this policy. Intent to Subcontract work will be evaluated on a case-by-case situation.

Procedure

The following procedures outlines the steps to be taken when a department(s) determines the need to subcontract work **regularly performed** by AFSCME bargaining unit members:

1. A project request is made.
2. A designated Physical Plant person is assigned as the Project Manager.
3. Project manager performs an initial investigation (i.e., meet with user group, determine scope, program, etc.).
4. A preliminary budget estimate is developed.
5. If the project receives appropriate administrative approval and funding for the project has been established, then project moves to the next step. If approval is not granted, the request is filed until such time as the status is changed.
6. Once project approval has been received, a Physical Plant project will be established with a Project Number and Project Account Number.
7. The Project Manager will determine if professional A/E services are required or not. If Yes, then the AVP for Physical Plant will determine if A/E services can be done by FSU or not. If No, then the project manager will proceed accordingly.
8. Once a project with scope/program and schedule has been developed enough to make a decision of whether to perform the work with FSU AFSCME bargaining unit employees or not, the project manager in conjunction with the appropriate Physical Plant supervisors will make a recommendation to the AVP for Physical Plant or his designee.
9. The AVP for Physical Plant or designee will make the final decision on all subcontracting.
10. If the decision is made to perform the work by FSU AFSCME bargaining unit employees, then the project manager will work with the appropriate supervisors to plan and schedule the work to be completed.
- 11. If the decision is made to perform the work by an outside agency, then the following must take place:**
 - a. An AFSCME Intent to Contract form is completed by the project manager and given to the Physical Plant Office Supervisor (or designee) who will log and distribute the form pursuant to Article 4, Section 3 which requires the employer to provide the Local Union President of the bargaining unit with written notification of the proposed subcontracting at least seventy-two (72) hours in advance of the subcontracting. Exceptions to the 72 hour notice provision may be made in the event a situation arises that could lead to the damage of property and/or personal injury
 - b. Subsequent to notification, and upon request by the Union, the employer will furnish the following information:
 - Available descriptive material such as plans, specifications, sketches, etc., associated with the work being considered for subcontracting.
 - Proposed time limits for project completion.
 - List of trades anticipated to be required for completion of work.

- c. Upon receipt of the Employer's notification of its intent to subcontract, the Union may, within 24 hours (pursuant to Article 4, Section 3 (3)), request a meeting with the supervisor who provided the notification of the subcontracting to the Union. The purpose of the meeting shall be to discuss the four factors set out in Article 4, Section 3 (2) of the CBA and to afford the Union an opportunity to make a proposal or adjustment.
- d. If a meeting is requested by AFSCME, it will be scheduled by the Physical Plant Office Supervisor (or designee) and held. If the decision remains to subcontract the work, the project manager will complete the Purchase Request Form with a copy of the signed off Intent to Contract form attached to it and submitted to the AVP for Physical Plant for approval.
- e. Once approval by the AVP for Physical Plant has been received, the Purchase Request Form will be forwarded to the Plant Operational Services office to process and secure a purchase order number.
- f. Once a purchase order number has been issued it will be provided to the Project Manager who will then (**AND ONLY THEN**) have approval to authorize contractors to commence work. Exceptions to this item will only be granted by the AVP.

See Appendix A for a definition of Subcontracting.

Monitoring

In monitoring a department's administration of this policy, the Associate Vice President for Physical Plant will rely on evidence of the extent to which subcontracting is being effectively managed. Included in this consideration will be such factors as:

- whether clear service standards exist to justify subcontractor use, and
- whether economical alternatives are being considered and used, where appropriate.

Inquiries

Inquiries about this policy should be referred to the responsible administrative personnel in each respective department who, in turn, may direct questions regarding policy interpretation to the Associate Vice President for Physical Plant.

Appendix A - Definition

Subcontracting for purposes of this policy is defined as the University's intent to hire an outside agency to perform AFSCME collective bargaining unit work, which is regularly performed by bargaining unit members.