



Sent via Electronic Mail

December 8, 2025

Metropolitan Water District of Southern California
Chair Ortega Jr., and Members of the Board
700 N Alameda Street
Los Angeles, CA 90012

Dear Chair Ortega Jr., and Members of the Board,

On behalf of 36,000 union carpenters throughout Northern California, the Nor Cal Carpenters Union is writing to bring attention to serious concerns with the contracting process for the upcoming Sites Project Reservoir Package. As your agency is expected to purchase a significant allocation from this upcoming Project, we believe you share our interest in seeing the Project built on time and in a manner that provides real environmental and economic benefits to the entire State, including the large local construction workforce that will be required.

It appears the Sites Project Authority is intending to enter a contract with Barnard Construction Company, Incorporated ("Barnard") of Montana to be the Construction Manager at Risk ("CMAR") for the Sites Project Reservoir Package ("Project"), which will encompass 50% of the larger Sites Project ("Sites Project"). The selected CMAR will be responsible for significant preconstruction and construction services, including the construction of two new dams, seven saddle dams, three dikes, a spillway, diversion tunnel, four bridges, and five construction access road bridges. The Project requires the CMAR to self-perform construction of the two new dams.

As explained below, the Nor Cal Carpenters Union is concerned that (1) Barnard lacks the requisite experience and capacity to successfully perform the Project and that (2) while the Sites Project Authority is requiring a project labor agreement ("PLA") on the Project and credible sources have informed us PLA discussions are already taking place between the State Building and Construction Trades Council and Barnard, those discussions do not include the Nor Cal Carpenters Union and other relevant labor organizations crucial to the delivery of the Project.



Barnard Construction Lacks Requisite Experience and Capacity

Based on our review of Barnard's history and experience, we believe they lack the capacity and expertise to deliver a project of this scale and scope in a timely and efficient manner.

Barnard Lacks Ties to Local Community or Workforce

A project of this scale and scope will require thousands of highly skilled construction workers. Barnard is a Montana-domiciled contractor with no ties to the local community or its workforce. Barnard lacks relationships with all local area hiring halls which will be necessary to supply the skilled workforce the Project demands. Barnard lacks relationships with all reputable joint apprenticeship programs which will be necessary both to train new workers, and to assess and provide journeypersons with any necessary skills development.

Instead, Barnard likely will import a significant portion of its self-performance workforce from out-of-state, reducing construction career opportunities for local workers. Those workers will presumably return home when the Project is complete, leaving no lasting economic benefit to nearby communities. Increased reliance on an out-of-area workforce, particularly ones without experience working on projects of this size and scope in California, adds uncertainty and risk to the Project. Without ties to local union hiring halls and joint apprenticeship programs, how will Barnard secure the skilled workers needed for this project?

Barnard Lacks Experience in Similar Projects in California

Our research indicates that Barnard has completed one dam project in California. The Los Vaqueros Dam expansion in Contra Costa County was built between 2010 and 2012. Its total scope was around 1/10th the size of Sites, as it only increased the height of an existing dam and only involved work with one existing agency. There is no real comparison between Los Vaqueros and the Project at hand.

Reservoir and dam construction in California is uniquely complex, owing to the State's terrain, seismic vulnerabilities, and complex governing jurisdictions. Awarding a project of this magnitude to a contractor with no real experience in constructing any comparable California-based project adds tremendous risk and uncertainty for water agencies and users.



Barnard was Terminated on a Previous CMAR Reservoir Contract

The Lower Colorado River Authority selected Barnard as a CMAR for the Arbuckle Reservoir Project in 2013. After Barnard performed preconstruction and updated construction cost estimates (Oct 2014 – April 2015), the “LCRA decide[d] to end cost negotiations and terminate [the] CMAR contract.”

https://www.twdb.texas.gov/publications/reports/contracted_reports/doc/1400011761.pdf

As a purchaser of future allocated storage, we encourage you to investigate this further and raise any relevant concerns with the Sites Authority regarding Barnard’s past experience as a CMAR with significant duties to negotiate and navigate labor relations as well as self-perform a significant, critical portion of the work (the Golden Gate and Sites dams).

Other Bidders on the Project Have the Requisite Experience and Capacity

Two other prequalified entities submitted proposals in response to the Sites Project Authority’s Request for Proposals for the Project: Kiewit Infrastructure West Co. (“Kiewit”) and Flatiron Dragados-Obayashi Joint Venture (“Flatiron Dragados-Obayashi”). Both entities have decades of experience constructing dams and other major water infrastructure projects throughout California and the country.

Kiewit’s experience with major dam and water storage projects in California alone includes (but is not limited to):

- Diamond Valley Reservoir East Dam (Hemet, CA): \$287M
- Oroville Emergency Spillways Recovery (Oroville, CA): \$676M
- Klamath River Renewal (Hornbrook, CA): \$357M
- Folsom Dam Auxiliary Spillway (Folsom, CA): \$381M
- Los Vaqueros Dam (Brentwood, CA): \$63M

In addition, Kiewit is currently working on the Gross Reservoir Expansion Project, a \$565M dam expansion in Nederland, CO that is the largest U.S. dam project executed under the CMAR contract model.

On all the projects above, Kiewit self-performed or is self-performing the majority of the construction work.

The Flatiron Dragados-Obayashi team has a similar legacy of successfully constructing large dam and water infrastructure projects. This includes:

- Calaveras Dam (Santa Clara County, CA): \$810M



- Isabella Dam Safety Modification Project (Kern County, CA): \$323M
- Wild Horse Reservoir (CO): \$800 M
- Site C Dam (British Columbia, CAN): \$16 Billion

The Project will be one of the largest water infrastructure projects in California's recent history. The Sites Project Authority received proposals from two of the most experienced water storage teams in the United States—both with significant experience—yet has chosen to negotiate with only Barnard, a firm that has successfully completed only one dam project in California.

Project Labor Agreement is not Being Negotiated with all Labor Parties

State law requires either the Project to be built with a “skilled and trained” workforce, or for the Project’s CMAR to “enter [] into a project labor agreement that will bind itself and all its subcontractors who perform construction work on the project.” (Pub. Contr. Code, § 20928.2, subd. (c)(6).) The Sites Project Authority intends to implement a PLA. The Sites Project Authority’s Construction Workforce Policy states, “The Sites Authority desires to implement a PLA on the Reservoir Package and the selected Reservoir Package CMAR Contractor will be expected to enter into PLAs for work on the Reservoir Package.” (See Project RFQ, available at <https://sitesproject.org/wp-content/uploads/2025/01/Reservoir-Package-CMAR-RFQ-1.pdf>.) Responsibility for negotiating the agreement rests with the CMAR, not the Authority.

For a PLA to be successful and to meet all common goals, including the goal of ensuring labor harmony and stable labor relations across all trades and scopes of work, all relevant crafts, particularly the Carpenters and other basic crafts, must be at the negotiating table and eventually execute the agreement.

The Nor Cal Carpenters Union has not been involved in any PLA negotiations or discussions, formally or informally, with either Barnard or the Sites Project Authority, although we understand discussions may be taking place between Barnard and labor organizations that do not represent our membership. Our union represents eleven apprenticeable crafts including carpentry, piledriving, and millwright trades, and our members and signatory contractors will be vital for the dam spillway, pump station, bridges, and dam construction. The Nor Cal Carpenters Union is not affiliated to any Building and Construction Trades Council on the state or local level. We have no intention of signing any PLA that we have no hand in negotiating and give no authorization to any other entity to negotiate or enter into agreements on our behalf. This exclusionary approach in seeking a PLA certainly fosters disputes and labor disharmony.



Conclusion

On its website, the Sites Project Authority states its central values: Safety, Trust & Integrity, Respect for Local Communities, Environmental Stewardship, Shared Responsibility for Shared Benefits, Accountability & Transparency, Proactive Innovation, and Diversity & Inclusion.

If the Sites Project Authority is genuinely committed to these values and a fully transparent Project, we encourage you to request a review of the Statement of Qualifications submitted by Barnard to ensure they meet the Sites Project Authority's standards as well as your agency's standards and the standards of your community. Additionally, we encourage you to stress to the Sites Project Authority the need for any PLA discussions or negotiations on the Project to involve all relevant labor organizations, including the Nor Cal Carpenters Union.

Thank you for your time and attention to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jay Bradshaw'.

Jay Bradshaw
Executive Secretary Treasurer