

1 **(July 1, 2009)**

2 **Apprentice Utilization**

3 Section 1-07 is supplemented with the following:

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5 This Contract includes an Apprentice Utilization Requirement as defined in this
6 specification. No less than 15.0% of project Labor Hours shall be performed by
7 Apprentices.

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9 ***Definitions***

10 For the purposes of this specification the following definitions apply:

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12 1. Apprentice Utilization Requirement is expressed as a percentage of the project
13 Labor Hours performed by Apprentices.

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15 2. Labor Hours are the total hours performed by all workers receiving an hourly
16 wage who are directly employed on the project site including hours performed
17 by workers employed by the prime Contractor and all Subcontractors. Labor
18 Hours do not include hours performed by foremen, superintendents, owners,
19 and workers who are not subject to prevailing wage requirements.

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21 3. Apprentice is a person enrolled in a State-approved Apprenticeship Training
22 Program.

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24 4. State-approved Apprenticeship Training Program is an apprenticeship training
25 program approved by the Washington State Apprenticeship Council.

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27 5. Good Faith Effort is a demonstration that the Contractor has strived to meet
28 the Apprentice Utilization Requirement including but not necessarily limited to
29 the specific steps as described elsewhere in this specification.

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31 ***Plan***

32 The Contractor shall submit an "Apprentice Utilization Plan" (DOT form 422-115 EF)
33 within 30 days of execution, demonstrating how and when they intend to achieve the
34 Apprentice Utilization Requirement. The plan shall be updated and resubmitted as
35 appropriate as the Work progresses. The intent is to provide the Project Engineer with
36 enough information to track progress in meeting the utilization requirements.

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38 ***Reporting***

39 The Contractor shall submit a "Statement of Apprentice /Journeyman Participation"
40 (DOT form 422-110 EF) on a monthly basis. The report shall be submitted to the Project
41 Engineer by the last working day of the subsequent month, until the Physical
42 Completion Date. The data reported shall be cumulative to date and consolidated to
43 include the Contractor and all Subcontractors. At the Contractor's request, the Project
44 Engineer may suspend this reporting requirement during periods of minimal or no
45 applicable work activities on the project. The Contractor shall submit documentation of
46 their Good Faith Effort if; (1) they are unable to provide a plan demonstrating how they
47 intend to meet the Apprentice Utilization Requirement; or, (2) the project has been
48 completed without meeting the Apprentice Utilization Requirement.

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50 ***Contacts***

51 The Contractor may obtain information on State-approved Apprenticeship Training
52 Programs by contacting the Department of Labor and Industries at:

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Specialty Compliance Services Division, Apprenticeship Section, P.O. Box 44530, Olympia, WA 98504-4530 or by phone at (360) 902-5320.

Compliance

In the event that the Contractor is unable to accomplish the Apprentice Utilization Requirement, the Contractor shall demonstrate that a Good Faith Effort has been made as described elsewhere in this specification. Failure to comply with the requirements as specified may result in reduction or revocation of prequalification as allowed by WAC 468-16-190.

Good Faith Efforts

In fulfilling the Good Faith Effort, the Contractor shall perform and, when appropriate, require its Subcontractors to perform the following steps:

1. Solicit Apprentice(s) from State-approved Apprenticeship Training Program(s)
2. Document the solicitation and, in the event Apprentice(s) are not available, obtain supporting documentation from the solicited program(s).
3. Demonstrate that the plan was updated as required elsewhere in this specification.
4. Provide documentation demonstrating what efforts the Contractor has taken to require Subcontractors to solicit and employ Apprentice(s).

In the event that the preceding steps have been followed, the Contractor may also supplement the Good Faith Efforts documentation with the following documentation:

5. Submit documentation demonstrating successful Apprentice utilization on previous contracts.
6. Submit documentation indicating company wide Apprentice utilization efforts and percentages of attainment.

Payment

Compensation for all costs involved with complying with the conditions of this specification is included in payment for the associated Contract items of work.