



Surface Water Management

MEMORANDUM

Date: September 24, 2025

To: Snohomish County Council

Via: Purchasing

From: Kris Johnson^{KJ} (Supervisor IV), Dave Stewart^{DS} (Engineer IV), Toni Wilde^{tw} (Contracts Administrator)

Subject: Apprenticeship SWM 2024-2 Olson Brothers

Olson Brothers Excavating, Inc., failed to meet the apprenticeship requirement on the SWM 2024-2 Culvert Replacement and Drainage Improvement project.

Early in the project, the SWM Contracts Administrator, Toni Wilde, requested the monthly apprentice reports which were not being submitted.

The Contractor's monthly apprentice reports did not match the Washington State Labor and Industries (L&I) certified payroll data.

The SWM Construction Representative Senior assigned to the project notified Olson Brothers' project foreman, Jason Duke, about the apparent shortfall in apprentice hours.

As the project progressed, Olson Brothers' apprenticeship hours continued to be below the required percentage for apprenticeship hours. In an effort to highlight the growing problem, SWM began adding the apprenticeship hours percentage listed on the Labor and Industries portal to weekly compliance communications. It was also addressed at the weekly meetings.

When the project was nearing completion, the Contract Administrator sent Olson Brothers a link to the Snohomish County apprentice page. That communication reiterated past statements about the contractor needing to comply with the apprenticeship requirements. It also highlighted that Olson Brothers could complete and submit a "Request for Modification" form. This form provides a forum where a Contractor can request a variance from apprenticeship requirements. Such variances are only granted when a Contractor is unable to comply with apprenticeship requirements despite making a good faith effort. Lastly, the communication reminded Olson Brothers about the possible consequences for failure to meet the apprenticeship requirements.

Unfortunately, Olson Brothers completed the "Request for Modifications" form after construction was substantially complete. Upon review of their request by Purchasing and Surface Water Management, the request was denied. The request did not meet the criteria for modification.

The apprentice hours shortage was also addressed in the "Prime Contractor Performance Report". Lastly, Olson Brothers' foreman communicated to the SWM Contracts Administrator that he was fine with never doing a county job again.



Snohomish County

REQUEST FOR MODIFICATION OF APPRENTICE UTILIZATION GOAL

2024-2 SWM Culvert Replacement & Drainage Improvement	SWMCCA24-01
Project Name	Project Number or Bid Number
Olson Brothers Excavating, Inc.	1/31/25
Contractor Name	Date of Request
Joni Dombrowski	253-770-3844
Printed Name of Authorized Contractor Representative	Telephone

Contractors may request a reduction or waiver of apprentice labor hour goals if three conditions are met per SCC 3.05. The exceptions/conditions are available on the County's website at: <https://www.snohomishcountywa.gov/2361/Apprenticeship>

The Contractor requests a reduction or waiver of the apprentice labor hour goal on this project to 660 HRS %. At least three (3) conditions have been met for this request and are as follows: (Attach supporting documentation if needed)

- 1. the contractor has demonstrated that it has utilized good faith efforts to meet the established percentage requirement but remains unable to fulfill the goal;

Olson Brothers Excavating employed apprentices at an average rate of 13.2HRs per working day for the original contract duration of 50 working days. Due to the small crew size there were no additional opportunities to increase apprentice utilization.

- 2. in order to meet the requirement, the contractor will be forced to displace members of its workforce;

To meet the requirement 3 apprentices would have been needed on a projected 6 man crew displacing members of our workforce for the contract duration. The lack of concurrent work and limited crew size decreased apprenticeship opportunities.

- 3. the reasonable and necessary requirements of the contract render apprentice or priority hire utilization infeasible at the required levels;

The requirements of the contract, including exposure to hazards, site constraints and lack of concurrent work governed that one member of the small crew could be an apprentice without displacing our workforce.

I declare under penalty of perjury under the laws of the State of Washington that the forgoing statements are true and correct.

Dated this 31 day of January, 2025, at Puyallup, Washington.

Joni Dombrowski

Digitally signed by Joni Dombrowski
DN: C=US, E=jonid@olsonbrothers.net, O="Olson
Brothers Excavating, Inc.", CN=Joni Dombrowski
Date: 2025.03.13 07:26:03-07'00'

Contractor's Signature

Contractor completes form and forwards completed form to Project Manager for processing by the Department

DEPARTMENT'S RECOMMENDATION ON REQUEST FOR MODIFICATION

2024-2 SWM Culvert Replacement

RR48107/RR48125 PW-24-010SB

Project Name

Project Number or Bid Number

Jim Blankenbeckler

3/13/2025

Authorized Department Representative

Date of Request Review

The Surface Water Management department recommends the following action:

After review of the available information regarding the requested reduction or waiver, there does not appear to be standing to approve this modification. The County does not appear to possess information of conditions met or good faith efforts for approval of this request. The submitted apprentice utilization plan does not appear to be followed, regular status reports were not submitted, and final documented hours did not accrue to the necessary levels. SWM recommends no waiver is granted and the County should pursue all remedies allowed by law and under the contract.

Blankenbeckler, James

Digitally signed by Blankenbeckler, James
Date: 2025.03.13 09:27:09 -07'00'

Authorized Signature for Department

Date

Completed Contractor Section and completed Department Section shall both be forwarded to the Purchasing Division with a copy of the current Apprentice Utilization Plan for review. An ECAF is not required.

PURCHASING REVIEW & EXECUTIVE APPROVAL

- ☐ A copy of the current Apprentice Utilization Plan has been received and reviewed.
- ☐ The Contractor's request meets at least three (3) of the conditions set by SCC 3.05
- | | | |
|---|---|--|
| <input type="checkbox"/> 2a best effort | <input type="checkbox"/> 2b displacement of workers, | <input type="checkbox"/> 2c requirements infeasible, |
| <input type="checkbox"/> 2d labor ratio | <input type="checkbox"/> 2e apprentice availability, and/or | <input type="checkbox"/> 2f other project performance. |

- ☐ Request for reduction is approved. The apprentice labor hour goal is reduced to _____ %.
- ☐ Request for reduction is approved in part; the apprentice labor hour goal is reduced to _____ %.
- ☐ Request for waiver is approved. The apprentice labor hour goal is reduced to zero.
- ☒ Request is denied. The apprentice labor hour goal remains unchanged at 15 %.

Thornton, Bill

Digitally signed by Thornton, Bill
Date: 2025.03.20 15:35:59 -07'00'

Finance Director or Purchasing Manager (delegated from Executive)

Date