

1 SNOHOMISH COUNTY COUNCIL
2 Snohomish County, Washington

3
4 ORDINANCE NO. 21-046

5
6 RELATING TO CONSTRUCTION PROJECTS - - APPRENTICE REQUIREMENTS;
7 AMENDING CHAPTER 3.05 SCC

8
9 BE IT ORDAINED:

10
11 Section 1. Snohomish County Code Section 3.05.025, added by Amended
12 Ordinance No 06-008, on March 1, 2006, is amended to read:

13
14 **3.05.025 Use of apprentices required for public works.**

15
16 Apprentices shall be utilized on the construction of all public works in accordance with
17 this chapter, except when requirements of this chapter conflict with federal funding
18 conditions or the conditions of any other funding.

19
20 Section 2. Snohomish County Code Section 3.05.030, last amended by
21 Amended Ordinance No 20-028, on October 21, 2020, is amended to read:

22
23 **3.05.030 Administration.**

24
25 (1) For those construction projects subject to this chapter, the executive shall establish
26 a percentage of total labor hours as a goal to be performed by apprentices. The labor
27 hour goals for the labor hours required to be performed by apprentices on each such
28 project shall be at least 15% of the total labor hours on the individual project.

29
30 (2) For construction projects subject to this chapter, bidders shall submit an apprentice
31 utilization plan prior to contract execution that reflects its plan to meet the 15% labor
32 hour goal. Contractors shall update their apprentice utilization plan throughout the
33 project to reflect changes to their plan to meet the labor hour goal.

34
35 (3) Apprentices utilized in accordance with this chapter must be enrolled in a registered
36 apprenticeship program that is approved by the Washington State Apprenticeship and
37 Training Council.

38
39 (4) Contracts for such construction projects shall include provisions detailing the
40 apprentice labor requirements.

41
42 (5) Bids for construction projects that are subject to apprentice requirements as
43 described in this chapter shall include supplemental bidder responsibility criteria
44 pertaining to apprentice requirements in the bid document that allow the purchasing
45 manager to find a bidder non-responsive if the bidder failed to meet the apprenticeship

1 requirements on any project during the two-year period immediately preceding the date
2 of the bid solicitation.

3 (6) From notice to proceed until project completion, contractors shall submit monthly
4 reports to the county on their apprenticeship utilization, including progress toward
5 apprenticeship goals. Reports shall reflect actual progress toward the apprenticeship
6 utilization goals in all applicable trades as identified in the apprenticeship plan.
7 Contractors shall include a revised apprentice utilization plan when changed conditions
8 or circumstances affect the method or schedule of the contractor's previously submitted
9 plan to meet the labor hour goal. Failure to meet targets of the applicable apprentice
10 utilization plan may be deemed a breach of contract under SCC 3.05.070.

11
12 Section 3. Snohomish County Code Section 3.05.040, last amended by
13 Amended Ordinance No 20-028, on October 21, 2020, is amended to read:

14
15 **3.05.040 Exceptions and Waivers.**

16
17 (1) During the term of a construction contract subject to this chapter, the executive or
18 designee may reduce or waive the apprentice labor hour goals upon his or her
19 determination that((:))

20
21 ~~((1) the apprenticeship requirement conflicts with federal funding conditions or the
22 conditions of any other funding; or))~~

23
24 ~~((2))~~ at least three of the below conditions are met as documented by the contractor
25 and reviewed by the executive or designee:

26
27 (a) the contractor has demonstrated that it has utilized its "best efforts" to meet the
28 established percentage requirement but remains unable to fulfill the goal;

29
30 (b) in order to meet the requirement, the contractor will be forced to displace members
31 of its workforce;

32
33 (c) the reasonable and necessary requirements of the contract render apprentice
34 utilization infeasible at the required levels;

35
36 (d) a disproportionately high ratio of material costs to labor hours render apprentice
37 utilization infeasible at the required levels;

38
39 (e) the contractor has demonstrated that it has contacted multiple registered
40 apprenticeship programs, yet an insufficient number of apprentices are available to
41 meet the contract requirements; or

42
43 (f) the contractor has demonstrated that it has met or is meeting apprenticeship
44 requirements on all of its existing county construction projects during the 12 months
45 prior to execution of a new contract with the county.

46

1 Section 4. Snohomish County Code Section 3.05.050, last amended by
2 Amended Ordinance No 20-028, on October 21, 2020, is amended to read:

3
4 **3.05.050 Monitoring.**

5
6 The executive shall implement a system for monitoring the actual use of apprentices in
7 construction projects subject to this chapter. Such monitoring shall include identifying
8 individual apprentices by name and Washington State apprenticeship registration
9 number; reviewing documents provided by the contractor showing total apprentice labor
10 hours; ~~((and))~~ determining the apprentice hours worked by minorities, women, and
11 veterans; and assessing whether the contractor has complied with the apprenticeship
12 requirement established in its contract.

13
14 PASSED this ___ day of _____, 2021.

15
16 SNOHOMISH COUNTY COUNCIL
17 Snohomish County, Washington

18
19 _____
20 Chairperson

21
22 ATTEST:

23
24 _____
25 Clerk of the Council

- 26
27 () APPROVED
28 () EMERGENCY
29 () VETOED

30 DATE: _____

31
32 _____
33 County Executive

34 ATTEST:

35
36 _____
37 Approved as to form only:

38 /s/ George B. Marsh
39 _____
40 Deputy Prosecuting Attorney