

Adopted: 08/25/2021
Effective: 09/05/2021

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED ORDINANCE NO. 21-046

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

BE IT ORDAINED:

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

3.05.025 Use of apprentices required for public works.

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

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

3.05.030 Administration.

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

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

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

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

(5) Bids for construction projects that are subject to apprentice requirements as described in this chapter shall include supplemental bidder responsibility criteria pertaining to apprentice requirements in the bid document that allow the purchasing 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.

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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:

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15 **3.05.040 Exceptions and Waivers.**

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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((:))

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

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

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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;

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

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

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

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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

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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.

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