

Apprenticeship Utilization on Public Works Construction Projects Public Works Incentive Based Percentage Program

The Port of Vancouver has established a Strategic Plan goal to support the development of a skilled workforce to align with regional needs and increase job opportunities across the port district.

Apprenticeship training programs are effective in developing highly-skilled employees, lowering turnover rates and increasing productivity. In addition, connecting state apprenticeships to the local workforce results in partnerships to foster a work-based learning strategy contributing to positive economic outcomes.

Effective May 2021, apprentices shall be utilized for the construction of public works by contractors in accordance with this section. All public works construction projects estimated to cost \$500,000 dollars or more may include a stated goal for the contractor to have a percentage of their labor hours performed by apprentices enrolled in an approved Apprenticeship Program.

These goals shall include the labor hours of the prime and any subcontractor's working on the project. Training programs shall be certified by the Washington State Department of Labor & Industries (L&I), the Oregon Bureau of Labor and Industries (BOLI), and/or the U.S. Department of Labor – Employment and Training Administration (ETA). The percentage of hours required will be determined by project upon review of criteria including, but not limited to the engineer's estimate, ratio of materials cost to labor, availability of apprentices in the area, etc.

For applicable projects, the prime contractor shall submit a Monthly Apprenticeship Utilization Report with their request for payment, or before the port processes a monthly pay estimate, to aid in the tracking of apprenticeship utilization. The Monthly Utilization Report shall report on the cumulative delivery of apprentice hours, by trade, for the project by all contractors. At the conclusion of the project the contractor will be required to complete an Apprentice Utilization form. This form must be completed and submitted prior to payment of the final pay estimate.

Incentive Payments: Contractors are encouraged to exceed the percentage requirement of apprenticeship hours on any given project and will be paid for all apprenticeship hours used on the project, up to a designated limit established for each contract. To be eligible for the incentive, contractor shall meet the set project goal. Once the goal is met, an incentive of twenty-five dollars (\$25.00) per hour reported by the Apprenticeship Utilization form will be paid for **all** apprentice hours used on the project up to the designated limit. This incentive payment will be included in the final pay estimate and paid to the contractor. Contractor will not receive incentive payment for any hours if the project goal is not met.

Contract Requirements: Contract documents for public works construction projects shall include provisions detailing the apprentice labor goals, including the overall limit that will be paid for the total number of apprenticeship hours for the project.

Monitoring: The port will make available an Apprentice Utilization Plan form, which identifies the intended goal for usage of apprentices by the contractor and any subcontractors. This document shall be submitted by the successful bidder after the contract has been awarded. In addition, the port will require periodic reporting on apprentice utilization, to include the submittal of a Monthly Apprenticeship Utilization Report by the contractor that will identify the actual work performed by apprentices for the contractor and subcontractors on a monthly basis. Required reporting will include the identification of individual apprentices by name and apprenticeship registration number, the total apprentice labor hours worked, and identification of apprentice hours worked by minorities, women, persons with disabilities and disadvantaged youth. This provision is not intended and shall not be used to discriminate against any applicant for training.

Adjustment and Waiver: Prior to the bid, the port may adjust or waive the requirements of this section for a specific project for the following reasons:

- a. The demonstrated lack of availability of apprentices in specific geographic areas
- b. A disproportionately high ratio of material costs to labor hours, which does not make feasible the required minimum levels of apprentice participation
- c. The reasonable and necessary requirements of the contract render apprentice utilization infeasible at the required levels
- d. In order to meet the requirement, the contractor will be forced to displace members of its workforce
- e. The participating contractor has demonstrated a good faith effort to comply with the requirements of this section
- f. Other criteria deemed appropriate that are not inconsistent with the purpose and goals of this section

Grant Funding: The provisions of this section shall not apply to the extent they are deemed to be in conflict with state or federal grant funding requirements.

For more information on apprenticeship programs, visit the [Washington State Department of Labor & Industries website](#), the [Oregon Bureau of Labor & Industries website](#), or the [U.S. Department of Labor - Bureau of Apprenticeship Training \(BAT\) programs](#).