



Apprenticeship Program Proposed Modifications

Legislative Review Committee
Agenda Item #3 - April 7, 2014



Policy Background

- City of El Paso established Apprenticeship Program in 1999 through Resolution of City Council
- City is not mandated to have in place an Apprenticeship Program
- If established, program must adhere to U.S. Department of Labor rules and regulations



Apprenticeable Occupations

- The following occupations determined to be “apprenticeable”
- Selected through a construction industry wage survey every 4 years

Bricklayer	Sheet metal worker
Carpenter	Structural worker/ironworker
Cement mason	Taper
Drywall applicator	Carpenter-Acoustical Ceilings
Electrician	Cabinet Maker
Glazer	HVAC
Operator Engineer	Insulation worker
Painter	Electronic Technician
Pipefitter	Elevator Installer & Repairer
Plasterer	Floor Layer
Plumber	Locksmith
Roofer	Tile & Marble Setter



Current Policy

- Requires contractors (Prime and Subs) to participate in an Apprenticeship Program when work is performed by apprenticeable occupations over \$50,000 on City construction projects
- Requires contractors to hire registered apprentices in a DOL certified program and comply with DOL requirements
 - Contractors cannot substitute non-registered apprentices for registered apprentices
 - Contractors must pay DOL wage rates or higher
 - Contractors must comply with apprentice to journeymen ratios



Current Policy (cont'd)

- City Engineer may evaluate and modify list of apprenticeable trades based on local availability
- Non-compliance may be basis to terminate contract
- Requires contractors to submit apprenticeship certifications prior to start of work
- Participation in Apprenticeship Program does not guarantee bidders an award of contract
- City does not reimburse for costs associated with apprenticeship programs



Concerns with Current Policy

- Contracts are executed without required apprenticeship documentation
- Bidders often submit expired certificates to show “Good Faith Effort”
 - Time constraints to register apprentices, find subcontractors and/or collect necessary documentation
 - Apprentices may change by the time work begins
 - At times, temporary certificates are submitted
- City staff chases current certificates to ensure compliance; inordinate amount of administrative time



Modifications

- Participation in a DOL certified apprenticeship or training program required for public works capital projects over \$250,000
 - Smaller projects not long enough in duration to require apprentices
- Staff will identify required apprenticeable occupations for each project
- Bidders required to “pledge” to hire apprentices
 - Pledge Form included in solicitation
 - Failure to submit Pledge Form with bid will deem bid “non-responsive”
 - Average time of advertisement is 14-21 days



Pledge Form

- Required with bid

Apprenticeship Program Acknowledgment Contractor Pledge Form

Bid/Estimate No.: _____ Project Name: _____

The City of El Paso has identified below the required apprenticeable occupations for this public works project. Please complete column "C" for the occupations identified below.

This document must be completed and submitted with the bid proposal. Failure to submit this completed form with the bid proposal will cause the bid to be deemed non-responsive and will not be evaluated.

A	B	C
Apprenticeable Occupation	Required for this project (This column to be completed by City of El Paso)	Provided by Prime or Subcontractor "yes/no"
Bricklayer		
Carpenter		
Cement mason		
Drywall applicator		
Electrician		
Glazier		
Operator Engineer		
Painter		
Pipeliner		
Plasterer		
Plumber		
Roofer		
Sheet metal worker		
Structural worker/ironworker		
Taper		
Carpenter - Acoustical Ceilings		
Cabinet Maker		
HVAC		
Insulation Worker		
Electronic Technician		
Elevator Installer & Repairer		
Floor Layer		
Locksmith		
Tile and Marble Setter		

Contractor: _____

Signature: _____ Name: _____ Title: _____



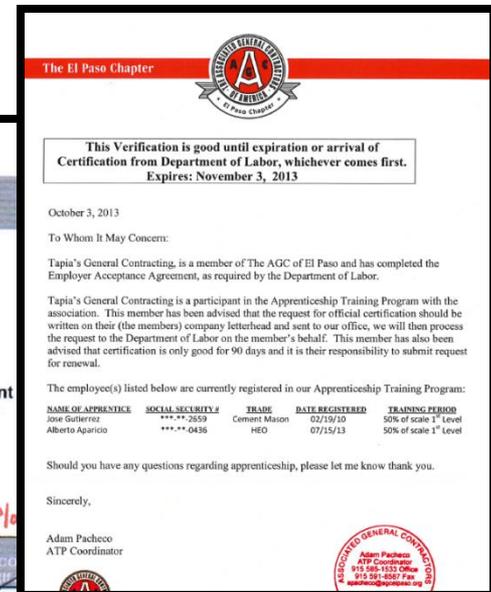
Official Certificates

- Successful bidder will be required to submit apprenticeship program documentation prior to contract execution
 - Within 30 days of award, along with all other required documentation



ATS - Apprenticeship Training Services
4625 Ripley Drive
El Paso, TX 79922

APPRENTICE ID	SSN	APPRENTICE NAME	OCCUPATION	DATE APPRENTICESHIP BEGAN	DATE CANCELLED OR IF APPLICABLE
TX13N059542	****6084	ABEL TORRES	CEMENT MASON	07/15/2013	1st 50%





Enforcement

- Proposed modifications allow adequate time to register in a program and/or obtain necessary documentation and hold contractors accountable to the pledge made at time of bid.
- Failure to submit necessary documentation prior to contract execution will be cause for termination of contract
 - Matter brought before City Council to terminate contract
 - Impose liquidated damages for failure to execute contract/begin project
- Failure to maintain compliance after contract execution but during term of project will be cause for issuance of a “Stop Work” order
 - Contractor will have 10 business days from SWO to submit documentation
 - Failure to comply will be cause for termination of contract



Incentive

- Some contractors have a well established apprenticeship program
 - Continuous pool of workers enrolled in a program
 - Reliable subcontractors with active apprenticeship program
- If documentation is provided “early” – with bid – successful bidder will receive additional days to complete the project, not to exceed 5 days for any project
 - Will not affect overall project cost (adding time, not dollars)



Summary

- Proposed revisions provide clarity for bidders
 - Allows bidders more time to focus on submitting quality bid packet
- Maintain City's commitment to apprenticeship program
 - Good tool for workforce development (skill and competitive wages)
- Provides incentive for proactive contractors
- Holds contractors accountable
- Allows staff to enforce with less bureaucracy



Questions/Comments