

1 (October 3, 2022)

2 **Apprentice Utilization**

3 This Contract includes an Apprentice Utilization Requirement. No less than 15
4 percent of project Labor Hours shall be performed by Apprentices.

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6 **Definitions**

7 For the purposes of this specification the following definitions apply:

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9 1. Apprentice is a person enrolled in a State-approved Apprenticeship
10 Training Program.
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12 2. Apprentice Utilization Requirement is the Apprentice labor hours
13 expressed as a percentage of the project Labor Hours.
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15 3. Good Faith Effort (GFE) is used if the Contractor doesn't meet the
16 Apprentice Utilization Requirement. It describes the Contractor's efforts to
17 meet the Apprentice Utilization Requirement including but not necessarily
18 limited to the specific steps as described elsewhere in this specification.
19
20 4. Labor Hours are the total hours performed by all workers receiving an
21 hourly wage who are directly employed upon the project including hours
22 performed by workers employed by the Contractor and all subcontractors.
23 Labor Hours do not include hours performed by foremen, superintendents,
24 owners, and workers who are not subject to prevailing wage requirements.
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26 5. State-approved Apprenticeship Training Program is an apprenticeship
27 training program approved by the Washington State Apprenticeship
28 Council.
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30 **Electronic Reporting**

31 The Contractor shall use the State L&I online Prevailing Wage Intent & Affidavit
32 (PWIA) System to submit the "Apprentice Utilization Plan" and "Good Faith Effort"
33 documentation. Reporting instructions are available in the application.
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35 **Apprentice Utilization Plan**

36 The Contractor shall submit an "Apprentice Utilization Plan" by filling out the
37 Apprentice Utilization Plan Form (WSDOT Form 424-004) within 30 calendar days
38 of execution, demonstrating how and when they intend to achieve the Apprentice
39 Utilization Requirement. The Plan shall be in sufficient detail for the Engineer to
40 track the Contractor's progress in meeting the utilization requirements and be
41 updated and resubmitted as the Work progresses or when ordered by the Engineer.
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43 If the Contractor is unable to demonstrate ability to meet the Apprentice Utilization
44 Requirement in their Apprentice Utilization Plan, they must submit GFE
45 documentation to the State L&I online PWIA System for review and comment with
46 their Apprentice Utilization Plan. The Contractor shall actively seek out
47 opportunities to meet the Apprentice Utilization Requirement during the
48 construction Work.
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50 **Contacts**

51 The Contractor may obtain information on State-approved Apprenticeship Training
52 Programs by contacting the Department of Labor and Industries at:

Compliance

In the event that the Contractor is unable to achieve the Apprentice Utilization Requirement, the Contractor shall submit to the State L&I online PWIA System GFE documentation for review and approval. The GFE documentation shall be submitted after Substantial Completion but no later than 30 days after Physical Completion. If GFE documentation was previously submitted as part of the Apprentice Utilization Plan, it shall be updated and resubmitted after Substantial Completion but no later than 30 days after Physical Completion.

If the Contractor fails to submit GFE documentation or if the Engineer does not approve the GFE, the Contractor will be subject to disciplinary actions as allowed under WAC 468-16-180.

Good Faith Efforts

The GFE shall describe in detail why the Contractor is not or was not able to attain the Apprentice Utilization Requirement. The GFE documentation shall address one or more of the following areas:

1. Correspondence on solicitation of Apprentices from a State-approved Apprenticeship Training Program(s), and the response from the solicited State-Approved Apprenticeship Training Program(s) when there is a lack of availability of Apprentices.
2. Provide documentation that shows Contract requirements for TERO, Special Training or Disadvantage Business Enterprise requirements affect the ability to obtain Apprentice Labor Hours on the Contract.
3. Provide documentation demonstrating what efforts the Contractor has taken to require subcontractors to solicit and employ Apprentices. Documentation could be posters placed on site, emphasis in subcontracts about employing Apprentices, letters, memos or other correspondence from Contractor to subcontractor that put an emphasis on employing Apprentices.

Contractors may receive a GFE credit for graduated Apprentice hours through the end of the calendar year for all projects worked on as long as the Apprentice remains continuously employed with the same Contractor they were working for when they graduated. If an Apprentice graduates during employment on a project of significant duration, they may be counted towards a GFE credit for up to one year after their graduation or until the end of the project (whichever comes first). Determination of whether or not Contract requirements were met in good faith will be made by subtracting the hours from the journeyman total reported hours for the project and adding them to the apprentice hour total. If the new utilization percentage meets the Contract requirement, the Contractor will be reported as meeting the requirement in good faith.

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Payment

All costs incurred by the Contractor for complying with this specification shall be included in the Contract prices for the Bid items of Work involved.