

## **ATTACHMENT E – RELATED ACTS REQUIREMENTS**

### **Apprentice Usage Requirements**

Consistent with ORS 279C.533, which was amended and added to and made a part of ORS chapter 279C by legislative action effective January 1, 2024, the following requirements shall be in effect as part of this solicitation and subsequent contract.

The College must include the provisions in any public improvement contract where the price exceeds \$3 million that the contractor shall:

1. Employ apprentices to perform a minimum of 12 (twelve) percent of the work hours that workers in apprenticeable occupations perform under this project; and
2. Require in each subcontract with a contract price of \$750,000 or more that the subcontractor shall employ apprentices to perform 12 (twelve) percent or more of the work hours in apprenticeable occupations under the subcontract.
3. A contractor or subcontractor shall pay an apprentice for work on the public improvement at the hourly rate to which the apprentice is entitled under an apprenticeship agreement or that the apprenticeship training program specifies.

The College must require as a material provision of the contract that the contractor establish and implement a plan for outreach for the recruitment and retention of women, minority individuals and veterans to perform work under the contract, with an aspirational target of having individuals in one or more of these groups to compose at least 15 (fifteen) percent of the total number of workers who perform work under the public improvement contract. A contractor's plan for outreach, recruitment and retention must require the contractor to, at a minimum:

The contractor must demonstrate adequate good-faith efforts to comply with the requirements above.

The College must require the contractor to submit for each contract and subcontract the Certified Payroll reports to the College and to BOLI showing compliance to the apprentice usage requirement and shall include:

1. The name of or other identification for the public improvement project;
2. The city or county in which the public improvement project is located;
3. A detailed accounting of:
  - a. The total number of hours of work that workers performed under each contract and subcontract;
  - b. The total number of hours of work that workers performed in each apprenticeable trade or craft for each contract and subcontract on this project;
  - c. The total number of hours of work that apprentices performed for each contract and subcontract on this project and
  - d. The total number of hours of work that apprentices in each trade or craft performed for each contract and subcontract on the public improvement; and

4. The total number of workers who performed construction work and the total numbers of minority individuals, women and veterans who performed construction work under the SECTION 00130 Apprentice Usage Requirements contract. A report under this subparagraph must separately list for each worker the worker's race, ethnicity, gender, veteran status and, as applicable, trade, craft or job category.

At least 30 (thirty) days before making any final payment to a contractor under this contract, the College shall determine the extent of the contractor's compliance with the requirements.

The College must calculate the actual number of work hours that workers in apprenticeable occupations performed for each contract and subcontract on the public improvement and the actual number of work hours that apprentices performed for each contract and subcontract on this project, as shown in the reports submitted.

The College is required to reduce the final payment due under this contract to a contractor that does not meet the requirements set forth under ORS 279C.533. The amount of the reduction must be equivalent to the difference between the total number of work hours that apprentices in apprenticeable occupations should have performed on the project to meet the less the total number of work hours that apprentices in apprenticeable occupations actually performed on the project, multiplied by \$15 (fifteen dollars) per hour.

The College must pay the amount of the reduction to the State Treasury to the credit of the Bureau of Labor and Industries Account established under ORS 651.160, not later than 30 (thirty) days after making a final payment to the contractor.