**The intent of this form is to document the attempts made by the contractor to meet the apprenticeship utilization requirement(s) and goal(s). Please note that the contractor must make efforts to achieve the targets throughout the life of the contract. The Port will complete this form and transmit to Contractor and CPO Contract Administrator for transmittal to L&I.**

Engineer: Fill in the orange fields for bid documents and delete this box. The yellow fields will be filled in by APH Manager during the project.

|  |  |  |  |
| --- | --- | --- | --- |
| Contact Made by: | Sam Pierce, APH Program Manager | Date: |  |
| Project Name / #: | [Enter Project Name/# from CDS] | Phone #: |  |
| Contractor: |  | Contact Person: |  |
| Performance Category: | **Apprentice Utilization: [PLA][Non-PLA]** |  |  |
| Participants: |  | | |

Section 1

**Apprentice Utilization Summary:**

Does RCW 39.04.320 apply to this project? ☐Yes ☐No

Est Construction Progress: [00%] % of Missing EPI: [00%]

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Category** | **Requirement** | **Goal** | **Utilization EPI** | **Utilization**  **PWIA** | **Compliance?\*** |
| Apprentice | [xx]% /  N/A | [xx]% / N/A | [xx]% | [xx]% | Yes/No |
| POC Apprentice | N/A | [xx]% | [xx]% | [xx]% | Yes/No |
| Female Apprentice | N/A | [xx]% | [xx]% | [xx]% | Yes/No |

\*Meeting compliance requires 1) Utilization % in EPI and PWIA to align and 2) Meeting or exceeding requirement(s)/goal(s) indicated above using PWIA Utilization % (after shown to be in alignment with Port Utilization).

**Select one:**

all requirement(s)/goal(s) have been met for this project; no Good Faith Effort (GFE) required.

one or more utilization requirement(s) or goal(s) has not been met for this project.

*The Contractor shall submit a request for a Good Faith Effort (GFE) determination from the Port in the form of a signed letter. The GFE request Submittal shall include documentation to substantiate Contractor systematic and direct efforts, and the outcome of those efforts, towards achieving the apprentice utilization requirement(s)/goal(s) throughout the project. See Section 4 of this document for types of GFE documentation.*

*The approval of a GFE by the Port will waive the assessment of any incentives or penalties included in the Contract related to Apprentice Utilization Requirements.*

Good Faith Effort (GFE) determination request received [insert date]

Based on documentation submitted with the GFE request, as indicated in Section 4, the following summarizes why the Contractor was unable to meet one or more of the apprentice utilization requirement/goal(s):

[Insert summary of documentation provided or other notes as needed to document evaluation]

Section 2

**Follow-up (if needed)**

|  |  |  |  |
| --- | --- | --- | --- |
| Responsible Party | Date Required | Description of Action to Follow-up | Date Completed |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

**Notes:**

Section 3

**Good Faith Effort (GFE) Determination (if needed)**

The Port has determined a Good Faith Effort (GFE) has been made to meet the responsibilities under this apprenticeship provision.

☐Yes ☐No ☐N/A

If ‘No’, what is the amount of the penalty assessed [$xx,xxx.xx]

Apprenticeship Program Representative: [Name, Position]

Date: [Date]

Section 4

**Good Faith Effort (GFE) Documentation**

The Port will make a GFE determination in Section 3 above after review of Contractor documentation of the efforts made to utilize apprentices through good faith. This documentation may include, but is not limited to:

* Documentation showing that the Contractor or Subcontractor uses State-Approved programs, and no apprentices were available for the project.
* Documentation showing a disproportionately high ratio of material costs to labor hours, which does not make feasible the required minimum levels of apprentice participation.
* Documentation showing the reasonable and necessary requirements of the contract which render apprentice utilization infeasible at the required levels.
* Documentation demonstrating that the Contractor or subcontractor cannot meet the entire apprenticeship requirement due to a conflicting federal or state requirement.
* Letters or email correspondence from apprenticeship programs or contractors.
* Lists of Washington State Labor & Industries ARTS printouts showing the availability or lack of State- Approved Apprenticeship Programs.
* Agreements, contacts, or subcontracts.
* Photographs
* Payrolls, timecards, and schedules.
* Spreadsheets or data from company systems.
* Logs of phone calls with names, dates and outcomes