

PROPOSED

ORDINANCE NO. 2020-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE BROWARD COUNTY CONSTRUCTION APPRENTICESHIP PROGRAM, SECTIONS 26-9 THROUGH 26-11 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); AMENDING THE DEFINITION OF CONSTRUCTION PROJECT; PROVIDING REPORTING REQUIREMENTS FOR CONTRACTORS AND SUBCONTRACTORS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Vice-Mayor Steve Geller)

WHEREAS, it is often difficult for construction employers to fill some or all needed skilled trade positions;

WHEREAS, the shortage of a sufficient number of candidates for skilled trade positions could result in delays, expenses, and challenges to future County construction projects;

WHEREAS, participation in an apprenticeship program will create opportunities for training and experience that will assist in ensuring that a trained workforce will be available in the future for County construction projects; and

WHEREAS, requiring the employment of apprentices on certain County construction projects will promote business and economic development by increasing the number of skilled workers in Broward County,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

1 Section 1. Section 26-9 of the Broward County Code of Ordinances is hereby
2 amended to read as follows:

3 **Sec. 26-9. Definitions.**

4 . . .

5 *Construction project* means a project, funded by County dollars in an amount of at
6 least ~~\$2,000,000~~ \$5,000,000, priced on the basis of a lump sum/fixed price amount, that
7 involves the process of building, altering, repairing, improving, or demolishing any public
8 structure or building, or other public improvements of any kind to any real property owned
9 or under the control of the County, which work is being performed under a construction
10 contract.

11 . . .

12 Section 2. Section 26-10 of the Broward County Code of Ordinances is hereby
13 amended to read as follows:

14 **Sec. 26-10. Apprenticeship Requirements and Exceptions.**

15 . . .

16 (c) For the duration of the construction contract, as same may be extended
17 including through the issuance of change orders, at least twelve percent (12%) of the
18 labor hours on the construction project, including all work performed pursuant to change
19 orders, must be performed by apprentices employed by the contractor or subcontractors.

20 . . .

21 Section 3. Section 26-11 of the Broward County Code of Ordinances is hereby
22 amended to read as follows:

23 **Sec. 26-11. Required Documentation, Noncompliance, and Reporting.**

24
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underscored type are additions.

1 (a) *Required documentation.* The contractor must prepare ~~and~~, submit, and
2 certify, on a ~~quarterly~~ monthly basis for the duration of the construction contract, accurate
3 and timely records identifying the name, ~~address~~, hourly rate, and trade classification,
4 ~~whether the worker is an~~ of each apprentice, the cumulative number of hours worked on
5 the project to date by apprentices, and the labor hours of all workers used by the
6 contractor and each subcontractor on the construction project, ~~and the cumulative~~
7 ~~number of hours worked on the project to date by apprentices.~~ The contractor must
8 require that each of its subcontractors prepare ~~and~~, maintain, and certify, for submittal by
9 the contractor to the County, accurate and timely records identifying, for such
10 subcontractor, the name, ~~address~~ hourly rate, trade classification, ~~and~~ labor hours for
11 apprentices used by the subcontractor on the construction project, and labor hours of all
12 workers used by the subcontractor on the construction project.

13 . . .

14 Section 4. Severability.

15 If any portion of this Ordinance is determined by any court to be invalid, the invalid
16 portion will be stricken, and such striking will not affect the validity of the remainder of this
17 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
18 legally applied to any individual, group, entity, property, or circumstance, such
19 determination will not affect the applicability of this Ordinance to any other individual,
20 group, entity, property, or circumstance.

21 Section 5. Inclusion in the Broward County Code of Ordinances.

22 It is the intention of the Board of County Commissioners that the provisions of this
23 Ordinance become part of the Broward County Code of Ordinances as of the effective
24 date. The sections of this Ordinance may be renumbered or relettered and the word

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1 "ordinance" may be changed to "section," "article," or such other appropriate word or
2 phrase to the extent necessary in order to accomplish such intention.

3 Section 6. Effective Date.

4 This Ordinance is effective sixty (60) days after the expiration of the Local State of
5 Emergency declared on March 10, 2020. This Ordinance shall apply prospectively only
6 and shall not apply to solicitations advertised by the County prior to the effective date of
7 this Ordinance.

8
9
10 ENACTED

PROPOSED

11 FILED WITH THE DEPARTMENT OF STATE

12 EFFECTIVE

13
14 Approved as to form and legal sufficiency:
15 Andrew J. Meyers, County Attorney

16
17 By /s/ Adam Katzman 05/07/2020
18 Adam Katzman (date)
19 Senior Assistant County Attorney

20 By /s/ René D. Harrod 05/07/2020
21 René D. Harrod (date)
22 Deputy County Attorney

23 AMK/jl
24 Apprenticeship Program Ordinance
05/07/2020
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