



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

Executive Order #011 **Apprenticeship Programs on County Construction Contracts**

WHEREAS, Erie County Apprenticeship Law (Local Law 2-2006) requires that contractors and subcontractors performing work under certain County construction contracts utilize New York State Certified Worker Training Programs, known as Apprenticeship Programs;

WHEREAS, Local Law 2-2006 was properly approved and is the law of the County;

WHEREAS, Apprenticeship programs such as the one established by Local Law 2-2006 are authorized by state law;

WHEREAS, Recent studies conducted by the Brookings Institution and later by McKinsey & Company on behalf of the Regional Economic Development Council have shown a serious shortage of skilled workers in Western New York, particularly in construction and advanced manufacturing fields;

WHEREAS, Workforce summits conducted by the Erie County Executive in cooperation with the Buffalo Niagara Partnership and the Workforce Investment Board have confirmed the findings of the Regional Economic Development Council regarding the serious shortage of skilled workers;

WHEREAS, The Regional Economic Development Council has determined that this shortage threatens the economic prosperity of Western New York and has established workforce training as one of its areas for priority action;

WHEREAS, As part of a comprehensive approach to train the next generation of workers, to aid them in obtaining gainful employment, and to create a pool of skilled workers without whom companies will not be able to operate, it is desirable and necessary to provide enhanced focus upon entry level training programs such as the apprenticeship program required by Local Law 2-2006;

WHEREAS, Apprenticeship Programs are valuable tools for the local workforce which provide opportunities to residents in this area through training and education for skilled jobs while employed on County projects;

WHEREAS, Training the next generation of workers to participate and compete in our local economy brings benefits both to individuals and to our community as a whole;

WHEREAS, Pursuant to the Apprenticeship Law, contractors are required to submit a plan demonstrating how apprentices will be utilized by the contractor or subcontractors on the applicable project, which includes among other things a demonstration that ten percent (10%) of the workforce shall consist of persons participating in an Apprenticeship Program;

WHEREAS, At the conclusion of a County construction project where Apprenticeship Programs are required, it is necessary to determine whether contractors obtained the goals stated in the submitted apprenticeship plan;

WHEREAS, Contractors that do not show a good faith effort to obtain such goals may jeopardize their status as a responsible bidder on future County projects; and,

WHEREAS, In furtherance of the my administration's commitment to the continuing development and diversification of our region's workforce.

NOW, THEREFORE, I MARK C. POLONCARZ, Erie County Executive, by virtue of the authority vested in me by the Erie County Charter §§301 & 302, do hereby order as follows:

1. It is ordered that within 30 days of this Order, Erie County Departments fully implement the provisions of Erie County Local Law 2-2006 for all capital projects including a requirement that the contractor submit an Apprenticeship Utilization Certification, which certifies the final participation of persons participating in Apprenticeship Programs under the contract. Such certification shall be submitted prior to final payment for the project; and it is,

2. Further ordered that upon receipt of such certification, the County contracting Department forward such certification to the County Division of Equal Employment Opportunity for review; and it is,

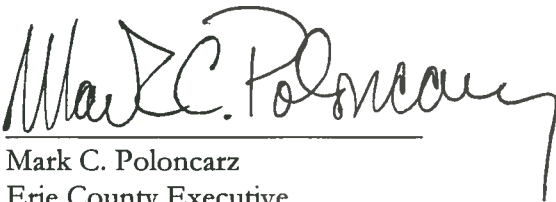
3. Further ordered that within 30 calendar days of receipt of the Apprenticeship Utilization Certification, the County Division of Equal Employment Opportunity provide a recommendation and report to the contracting Department concerning whether the contractor obtained the goal of 10% apprentice utilization; and it is,

4. Further ordered that contractors, who are deemed by the County Division of Equal Employment Opportunity to have not made a good faith effort to adhere to the Apprenticeship plan, may be deemed not responsible contractors for purposes of future County capital projects which are subject to Erie County Local Law 2-2006.

GIVEN, under my hand and the Privy Seal of the County of Erie in the City of Buffalo this eighth day of January, in the year two thousand thirteen.



County of Erie

By: 
Mark C. Poloncarz
Erie County Executive