



# Commission Policy

Subject: Local Workforce Participation on District Projects	Index: 1-78.21 Page: 1 of 2
Authority: Statute:  Resolution: 02-136-7	Date Issued: 11/19/07  Date Revised:

## I. Policy

The Executive Director may require that no contract or subcontract be awarded unless the bidder agrees to an acceptable level of local workforce participation.

## II. Purpose

It is the District's Policy to promote the utilization of local workers and to maximize the economic impact of the District's annual operating and capital spending.

## III. Implementation

The Executive Director shall implement the Local Worker Requirement policy via Administrative Policy and Procedure.

The Contractor and each subcontractor shall provide every opportunity possible to enable local workforce participation. Reasonable exemptions and modifications to and from all requirements of this policy may be made with respect to any specific contract or subcontract upon grounds of undue hardship and when special circumstances in the local public interest or local or area-wide employment situation so require.

The District Local Worker requirement shall be waived: (a) if it causes a current employee of any prime or subcontractor to suffer adverse conditions of employment; or (b) if it is proven by the Contractor to be impracticable to comply with the requirement on a particular contract.

## IV. Compliance

In the event of failure to meet the participation requirement, the Contractor shall be given an opportunity to demonstrate that every good faith effort to meet this commitment has been made. Such noncompliance by the Contractor or subcontractor shall be taken into consideration by the Executive Director in determining whether such Contractor or subcontractor can comply with this policy and is therefore a qualified responsible bidder.



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If the Contractor or subcontractor fails to comply with this policy, the Executive Director may take one or more of the following actions:

1. Withhold payments on the contract.
2. Terminate, suspend or cancel the contract in whole or in part.
3. After due process, consider debarment of the Contractor from bidding for a two-year period.
4. Any other remedy available to the District.