

of preparatory work and operations including, but not limited to those necessary to the movement of personnel, equipment, supplies and incidentals to the project site; and for all other work and operations which must be performed or costs incurred prior to beginning work on the various items on the project site.

659.02 Basis of Payment Partial payments will be made in accordance with Section 108.2.3 Mobilization

The total sum of payments under this item shall not exceed the original Contract amount bid regardless of the fact that the Contractor may shut down their work on the Project or move equipment away from the Project and then back again.

Payment will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
659.10 Mobilization	Lump Sum

SECTION 660 - ON-THE-JOB TRAINING

660.01 Description As part of the Contractor's equal employment opportunity affirmative action program, the primary objective on-the-job training shall be to train and upgrade minorities and women toward journey worker status.

660.02 Requirements Contractors, where seasonal workforce for the preceding year did not meet craft tradesperson goals of 6.9 percent for women and 0.05 percent for minorities in skilled and semi-skilled areas, and a Laborer level of 10 percent for women and 0.05 percent for minorities, shall: (a) provide on-the-job training (OJT) aimed at developing full journey workers in the types of trades or job classifications involved on a Contract; and (b) when a Contractor has complied with the above cited women and minority employment goals, no further training is required provided the numbers remain at or above the given percentages. The method for determining company-wide compliance shall be the actual hours worked by women and minorities during the preceding season from April 1st through November 15th annually. Such record shall be provided to the Department's OJT and Contract Compliance Consultant at time of award. Contractors in compliance with craft goals shall no longer be required to provide

training provided the workforce does not fall below the required levels. If it does, Contractors shall begin training in accordance with Section 660.

Total training hours will be the amount listed in the Schedule of Items.

If OJT is required, then the Contractor shall complete and forward to the Department's OJT and Contract Compliance Consultant the Letter of Intent, along with the OJT Registration form including the Workforce Breakdown form, prior to commencing any project work. The Contractor shall submit the Registration/Enrollment form to the OJT and Consultant indicating each classification to be used in the course of meeting this requirement.

Training classifications shall be distributed among work classifications needed by a Contractor in the skilled and semi-skilled craft levels identified on the Letter of Intent.

The Contractor shall receive credit only when the Department's representative has approved the program. For this reason, Contractors are reminded to register candidates at the onset of the Project work in order to guarantee the maximum training time for the enrollee to complete their program. Contractors will be reimbursed for such hours as are approved.

The Contractor shall make every effort to enroll minority and women trainees (e.g., by conducting systematic and direct recruitment through public and private sources likely to yield minority and women trainees) to the extent that such persons are available within a reasonable area of recruitment. The Contractor shall be responsible for demonstrating the steps taken in pursuance thereof, before determination as to whether the Contractor is in compliance. If, in accordance with Section 660 - On-The-Job-Training, the Contractor is acting affirmatively and has achieved the semi-skilled and skilled craft employment goals of 6.9 percent women and 0.05 percent minorities, and 10 percent for women, and 0.05 percent for minorities in unskilled classes, then the Contractor will have no further training obligation for the periods that the levels are maintained. If the Contractor falls below these standards, it shall immediately reinstate an Affirmative Action Program to increase the employment and retention of women and minorities.

Trainees shall not be enrolled in a classification in which they have successfully completed a training course leading to journey worker status, or for which they have held employment as a journey worker. No contractor shall enroll trainees who possess post

secondary degrees, certification, or diploma without first securing written approval. Only individuals with non-construction oriented credentials, except those who are upgraded will be considered. Upgrades from semi-skilled to skilled crafts is acceptable but must be approved by the Department or its representative.

The minimum length and type of training for each classification will be as established in the training program selected by the Contractor and approved by the Department or its representative. Nothing in this Section limits a Contractor to only the curriculum found in the OJT Manual. The Department will consider a training curriculum if it likely to meet the equal employment opportunity obligations that bring women and minorities into the industry and retain them. By design, it will lead to qualifying the average trainee for journey worker status in the classification used. Contractors are encouraged to examine training opportunities, which fit their need.

Contractors whose OJT hours are waived, may establish a training obligation to a subcontractor. Section 660 shall be included in all contracts to subcontractors. Subcontractors are expected to comply with craft goals. As with other Sections applied to a sub, the Contractor retains obligations accordingly.

If training is required, the Contractor shall maintain records, and furnish the Department or its representative with documentation of each trainee's progress using the Weekly OJT Evaluation form.

660.03 Method of Measurement The OJT item will be by the number of hours worked according to the approved training program. At enrollment, trainees shall be paid at least 75 percent of the average wage paid for craftspeople in the stated classification on the project. Provided a trainee achieves the objectives of the program, the Contractor must provide incremental wage increases to each enrollee as they progress in their program. By completion, a trainee is expected to earn a comparable wage to that of other journeyed workers, employed by the contractor in this classification.

660.04 Basis of Payment The OJT shall be at the contract unit price per hour. Payment will be made even though the Contractor received additional training program funds from other sources, provided such other source does not specifically prohibit the Contractor from receiving other payment. No payment shall be made to the Contractor, if the Department determines the Contractor failed to provide the required training, or if able, the contractor did not hire the trainee as a tradesperson when their program is completed.

The Department shall work with any contractor whose efforts have been deemed not consistent with the spirit or intent of the Program.

The Contractor shall begin training at the onset of employment for the trade classification. Trainees are expected to remain in status as long as training opportunities exist in the work classification, or until the training program is completed. Provided the Contractor has Department approval, training may be conducted off-site. Verification of training hours shall be determined for credit on off-site work by either: 1) the weekly training report, or 2) the Contractor's usual daily/weekly time card. The Contractor will have fulfilled the responsibilities by specifically providing the maximum training opportunity as required in this Special Provision.

When the Department determines the Contractor has not complied with this Section, the number of training hours remaining to be completed for each training hour required will be multiplied by the prevailing wage rate plus fringes for that particular trainee's classification. The resulting figure shall be deducted from any monies due the Contractor, as determined by the Resident. The Department shall move within ten days of the ruling to advise the Contractor, in writing, so a corrective action plan may be developed in order to avoid similar future findings. If subsequent efforts fail, sanctions may be imposed.

Payment will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
660.21 On-The-Job Training	Hour