



## Legislation Details (With Board Report)

**File #:** ORD 12-028      **Name:** Introduce ORD PW Employment Construction Contracts  
**Type:** Ordinance      **Status:** Consent Agenda  
**File created:** 10/10/2012      **In control:** Board of Supervisors  
**On agenda:** 10/23/2012      **Final action:** 10/23/2012

**Title:** Introduce, waive the reading, and set December 11, 2012, at 10:30 a.m. as the date and time to consider adoption of an ordinance amending the Monterey County Code, Title 5, Section 5.08.120 as presented by the Resource Management Agency - Public Works in response to Board Referral 2011.07 regarding the local hiring process for County construction contracts.

**Sponsors:** Public Works / RMA

**Indexes:**

**Code sections:**

**Attachments:** 1. Redline Ordinance, 2. Draft Ordinance, 3. Completed Board Order

Date	Ver.	Action By	Action	Result
10/23/2012	1	Board of Supervisors	approved	

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**RECOMMENDATION:**

It is recommended that the Board of Supervisors introduce, waive the reading, and set December 11, 2012, at 10:30 a.m. as the date and time to consider adoption of an ordinance amending the Monterey County Code, Title 5, Section 5.08.120 as presented by the Resource Management Agency - Public Works in response to Board Referral 2011.07 regarding the local hiring process for County construction contracts.

**SUMMARY/DISCUSSION:**

In response to Board Referral 2011.07 regarding the Resource Management Agency - Public Works' (RMA-PW) local hiring process for County construction projects, staff from the Office of the County Counsel and RMA-PW met with several stakeholder groups on multiple occasions to discuss the Referral in depth.

During the meetings, members of the stakeholders group and County staff discussed Monterey County Code, Title 5, Section 5.08.120. The group focused on strengthening and clarifying the regulations related to contractors on County public works projects employing Monterey Bay Area residents, currently defined as residents of Monterey, San Benito and Santa Cruz Counties, in addition to addressing specialized work exceptions, requiring documentation for monitoring compliance and defining "good faith effort." The stakeholders specifically requested the language be modified to include displaced Monterey County workers by extending the residency requirement to one year out of the last three years. The group also agreed to exempt specialty items for which there is not a sufficient work force within Monterey County. Contractors shall be required to document and report to the RMA - PW the hours performed by Monterey Bay Area residents. Additionally, "good faith" is defined to clarify the expectations of the County; this includes contacting local recruitment sources, advertising locally for qualified Monterey Bay Area residents, identifying subcontractors

whose workforce includes Monterey Bay Area residents, and developing a written plan to recruit Monterey Bay Area residents. The recommended changes to the ordinance are included in the modified ordinance.

OTHER AGENCY INVOLVEMENT:

The Board of Supervisors District 4 Office, the Office of the County Counsel, Contracts/Purchasing, the RMA, a variety of stakeholders in developing the proposed amendments including Monterey/Santa Cruz Building and Construction Trades Council, International Brotherhood of Electrical Workers Local 234, Operative Plasterers' and Cement Masons' Local Union #300, William A. Thayer Construction, Incorporated, Graniterock, and The Don Chapin Company, Incorporated collaborated efforts on this matter.

FINANCING:

The implementation of proposed Ordinance amending Monterey County Code, Title 5, Section 5.08.120 will be funded by each project. The cost of implementation is anticipated to be minor relative to the cost of construction of the project.

Prepared by: Paul H. Greenway, P.E., Assistant Director of Public Works, (831) 755-4807

Approved by:

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Robert K. Murdoch, P.E. Director of Public Works

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Benny J. Young, RMA Director

Dated: October 12, 2012

Attachments: Red line Ordinance; Draft Ordinance