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Date: August 20, 2014

To: Honorable Committee on Transportation, Public Works and Transit

cc: All Supervisors
Committee Clerk Janelle Jensen

From: Paul Bargren, Corporation Counsel *PB*
Jerry Heer, Director of Audit
Greg High, Director, AE&ES

Re: File Number 13-766 – Draft Ordinance on Residency of Public Works Contractors’
Employees

At its meeting on December 4, 2013, the Committee referred this item to Corporation Counsel, Audit, and Architecture, Engineering and Environmental Services. The Committee requested an Ordinance that formalizes the existing fifty percent (50%) residency goal on County construction projects and develops contract requirements designed to achieve compliance. I drafted the resolution and ordinance in consultation with Mr. Heer and Mr. High.¹

The County’s 50% goal had been set out in a resolution but had never been formalized in an ordinance. The attached resolution sets out the rationale for adopting an ordinance. The ordinance sets 50% residency (by salary) as the policy of the county, requires contractors to make periodic reports of progress against the goal, states that invoices not accompanied by a report will not be paid, and provides that contractors who fail to meet the goal could be barred or disqualified on future projects. Federal and state restrictions limit enforcement options for the County, but the ordinance includes remedies to the full extent allowed by law. The ordinance is consistent with the memo provided by this office dated November 25, 2013, which is already in the file.

On behalf of Mr. Heer and Mr. High, I can say we look forward to discussing this proposal further with the Committee.

¹ The report was due in July. The proposed ordinance was drafted in time, but I failed to submit it properly for the July meeting cycle.