

**District of Columbia
Water and Sewer Authority**



**DC Water Works
Program
Effective Date: October 1, 2016**

Amended: 3/11/20 – Updated Program Goals

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District of Columbia Water and Sewer Authority DC WaterWorks Program

DC Water is committed to the enhancement of opportunities for economic development in the District of Columbia and the region it serves. DC Water provides water and wastewater treatment services to one of the most diverse cities and regions in the country. In carrying out its mission, DC Water actively encourages and supports the development and participation of local residents as part of the Authority's contractor workforce. The creation of a local, readily available labor pool, with skills needed by DC Water's contractors will enhance DC Water's ability to provide efficient and economical water and sewer services to the DC Water user jurisdiction.

To this end, The DC Water Works Program provides the framework for the design and implementation of programs and activities that will enhance participation of local residents.

The General Manager or his/her designee is responsible for implementing and administering the DC Water Works Program, procedures and processes, consistent with this plan, Authority policies and applicable regulations and laws.

1.0 Program Goals

DC Water has established a goal that, for DC Water construction and service contracts, at least sixty percent (60%) of the total contractor workforce will be local residents.

Further, seventy-five percent (75%) of new jobs created by contracts or procurements entered into by DC Water with contractors will be filled by local residents. New Jobs mean both union and non-union job openings, including vacancies created as a result of internal promotions, terminations or other separations, and expansions of the contractor's workforce.

These goals will be reviewed every two (2) years by DC Water to determine whether DC Water's objectives are being achieved, based on performance, available procurements, and external conditions affecting contractor employment.

2.0 Definitions

1. **Apprentice** – An individual who is registered with an apprenticeship program approved by the United States Department of Labor and the District of Columbia Apprenticeship Registration Agency.
2. **Apprentice Work Hours** – The hours apprentices actually work on DC Water projects.
3. **Good Faith Efforts** – Good faith is defined as a demonstrated commitment to execute the requirements of the DC Water Works program., including, but not limited to the following:
 - a) Actively recruiting and hiring graduates from DC Water Works Skills Training Program – to include participation in the “graduation” ceremonies of the Program;
 - b) Establishing and utilizing Apprenticeship Programs as a means to achieve hiring goals;
 - c) Utilizing the DC Water Works Job Center as the first source of recruitment;
 - d) Utilizing other services to identify residents of DC Water’s User Jurisdiction for recruitment, when not provided by the DC Water Works Job Center;
 - e) Submitting all reports and updates on time;
 - f) Participating in at least one DC Water Works targeted career fair annually.
 - g) Participating in at least one Contractor Day at the DC Water Job Center a meet with individuals to provide an overview of their respective project(s) as well as qualifications needed to gain employment in their field.
4. **Collective Bargaining Agreement (CBA)**: An agreement between an employer (or a group of employers) and a labor organization (or group of labor organizations) covering terms and conditions of employment including, but not limited to, wages, benefits, working hours, training, health and safety, overtime, and grievance and arbitration procedures.
5. **Construction**– Activity that involves the construction, alteration, or repair (including dredging, excavating, and painting) of buildings, structures, or other real property. This activity is distinguished from manufacturing, furnishing of goods, or services and maintenance work.

6. **Contractor** – An individual, partnership, corporation, joint venture or other legal entity entering into a contract (or a subcontract of whatever tier) for a DC Water project. A Contractor includes a general or prime contractor, which is the entity that enters into the contract directly with DC Water; a subcontractor, which is an entity that enters into a Contract with the general contractor or a subcontractor of a higher tier; and an Owner-Operator, which is defined herein.
7. **DC Apprenticeship Registration Agency** – The organization responsible for apprenticeship in the District of Columbia.
8. **DC Water** – The District of Columbia Water and Sewer Authority also referred to as “the Authority.”
9. **DC Water Strategic Partners** – Community based organizations, union representatives and apprenticeship coordinators supporting DC Water’s efforts to identify local residents for DC Water contractor employment opportunities.
10. **DC Water User Jurisdiction** - Consists of the following areas: the District of Columbia; Fairfax County, Virginia; Loudoun County, Virginia; Montgomery County, Maryland; and Prince George’s County, Maryland.
11. **DC WaterWorks Compliance Database** – The online system that tracks employment activity on DC Water projects. Monitoring includes:
 - a. Payment of Prevailing Wages
 - b. Resident Workforce Hours
 - c. Apprenticeship Hours
 - d. New Hires
12. **(The) District** – The District of Columbia.
13. **District Resident** - Any person whose primary residence is within the District of Columbia. This individual must have established residency at least two weeks prior to commencement of work by the Contractor.
14. **Emergency Work** – Work that is required in an emergency situation as determined by DC Water, including when the failure to acquire the goods, services, or construction in a timely manner would seriously threaten any of the following: (1) the health or safety of any person; (2) the preservation or protection of property; (3) the continuation of necessary Authority functions; or (4) the Authority’s compliance with legal requirements.
15. **Goods** - Physical (tangible) products, including but not limited to, supplies, equipment, materials, printing, information technology hardware and software, and commodities.
16. **Invitation for Bid (IFB)** - The solicitation document used for competitive sealed bidding for the purchase of goods, services and construction.

17. **Local Resident** - Any person whose primary residence is within the DC Water User Jurisdiction. This individual must have established residency at least two weeks prior to commencement of work by the Contractor.
18. **Monitoring** – The system established to measure compliance with the DC Water Works Program.
19. **New Hire** – Any person hired by a contractor to fill job openings, including vacancies created as a result of internal promotions, terminations or other separations, and expansions of the Contractor’s workforce.
20. **Offeror** – A person or entity that submits a bid or proposal to the Authority, generally in response to an IFB or RFP.
21. **Owner Operator** – A Contractor, who operates his own, leased or rented equipment and uses that equipment on a DC Water Construction project, and hires no other employees.
22. **Pre-Bid/Pre-Proposal Meeting** - The meeting held between DC Water, bidders, and potential Contractors before the award is made and the bidding period has closed.
23. **Pre-Construction Meeting**– The meeting held between DC Water and Contractors after the award is made and the issuance of a notice to proceed.
24. **Project Labor Agreement (PLA)** – A pre-hire Collective Bargaining Agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific construction project.
25. **Request for Proposal (RFP)** - The solicitation document used in the competitive proposal process in which proposals are evaluated on the basis of technical standards, price and other criteria and in which negotiations with proposers prior to final selection and award of a contract is permissible.
26. **Request for Qualification (RFQ)** - The solicitation document used to obtain Statements of Qualifications from prospective offerors in advance of the issuance of an Invitation for Bids or a Request for Proposals.
27. **Service** – Any activity that directly engages the time and effort of a contractor whose primary purpose is to perform an identifiable task rather than to furnish goods. Insurance is a service. Services also include consultation, advice, design and other work performed by either professional or non-professional personnel whether on an individual or organizational basis. This term shall not include employment agreements or collective bargaining agreements.

28. **Solicitation** – Any request to submit qualifications, expressions of interest, bids, proposals, or quotations to the Authority. A Solicitation under sealed bid procedures is called “Invitations for Bids.” A Solicitation under competitive proposal procedures is called a “Request for Proposals” under one-step procurement, and is called “Request for Qualifications” and “Request for Proposals” under a two-step procurement. Small purchase solicitations may require submission of either a quotation or an offer (bid or proposal).
29. **Subcontract** – A contract that exists between the prime contractor and a subcontractor or between subcontractors of any tier.
30. **Tier** – The level of relationship to the prime contractor of a subcontractor who enters into a contract under a prime or another subcontractor to perform a portion of the work on a project.
31. **Workforce** – The total number of people including both field and office personnel employed by a Contractor who are assigned to and engaged in the Contractors’ project-specific work on a DC Water Construction or Service contract.

3.0 General Terms

1. All Construction Contractors and Service Contractors at all tiers, will use E-Verify to confirm that their DC Water project workforce is legally authorized to work in the United States. E-Verify is an Internet-based system that compares information from an employee's Form I-9, Employment Eligibility Verification, to data from U.S. Department of Homeland Security and Social Security Administration records to confirm employment eligibility.
2. Except as exempted, Construction Contractors and Service Contractors at all tiers will submit all vacancy announcements on DC Water projects to the DC Water Job Center as they become available. Included in the submission will be a job title, description of duties, number of employees needed by job title, projected hiring date, rate of pay, hours of work, duration of employment, and qualifications.
3. Construction Contractors of any tier with a contract or combination of contracts of \$300,000.00 or greater on a single project must submit an Employment Plan to DC Water as defined in **Section 3.0**. Contractors will also submit reports concerning their employment activity on the DC Water project as defined in **Section 9.0**.
4. Service Contractors of any tier with a contract or combination of contracts of \$100,000.00 or greater on a single project must submit an Employment Plan to DC Water as defined in **Section 3.0**. Contractors will also submit reports concerning their employment activity on the DC Water project as defined in **Section 9.0**.

4.0 Employment Plan

Contractors of all tiers will complete a DC Water Works Employment Plan and submit it to DC Water within thirty (30) days of contract start. The Employment Plan will include:

- A roster of all current employees (name and address) including apprentices, trainees, and transfers from other projects, who will be employed on the project;
- A projection of the total number and type of new positions that will be created as a result of the project including the job title, number of positions, salary range, union affiliation (if applicable), the projected hire dates; and descriptions of the skill requirements by job title or position, including industry recognized certifications required for the different positions;
- A strategy to fulfill the goals of the DC Water Works Program pursuant to the contract; and
- The designation of a senior official from the Contractor who will be responsible for implementing the hiring and reporting requirements.

5.0 Referral

Non-exempt Contractors will use DC Water Works as the first source for recruitment, referral, and placement of new hires for all new jobs created for the Project, as they become available. This must be done before using any other referral source. Non-exempt Contractors will post job vacancies with the DC Water Job Center in accordance with the following provisions:

- A. Outreach and referral efforts of the Job Center will target District residents.
- B. Contractors will provide specific employment needs which shall include, at a minimum, the number of employees needed by job title, qualifications, projected hiring date, rate of pay, hours of work, anticipated duration of employment, and work to be performed.
- C. Contractors will give DC Water three (3) business days (Monday - Friday) from the date the job was posted with the DC Water Works Compliance Database, to identify qualified candidates for available job positions. In the event that DC Water is unable to refer qualified candidates, Contractors and Subcontractors will fill available positions through

other means, while still working towards achieving the seventy-five percent (75%) new hire goal for local residents.

- D. Contractors will make all hiring decisions but will, in good faith, use reasonable efforts to select new hires from the persons identified by DC Water.

Job openings to be filled by internal promotion from the Contractor's or Subcontractor's current workforce do not need to be referred to DC Water for placement and referral. However, Contractors and Subcontractors shall notify DC Water of such promotions in the bi-monthly report provided through the DC Water Works Compliance Database.

6.0 DC Water Partnerships

6.1 DC Water Strategic Partners

- DC Water will establish and maintain relationships with Strategic Partners. These include local resource organizations, government agencies, labor organizations, training providers, and High Schools to help identify candidates for "ready to fill" contractor vacancies.
- DC Water will provide its Strategic Partners with employment projections and a DC Water procurement forecast.
- DC Water will share Contractor employment opportunities with its Strategic Partners, in order to allow them to forward candidates to DC WaterWorks so that referrals can be made within the three (3) business day referral period provided for in Section 5.0.
- Strategic Partners will support DC Water targeted career fairs/seminars.
- DC Water will evaluate its Strategic Partners on an annual basis to determine success. Success is determined by referrals to Contractors that lead to interviews and actual hires.

6.2 DC Water Works Skills Job Training and Placement Program

DC Water recognizes that there are challenges to identifying District residents with the skills contractors are looking for on DC Water projects. Accordingly, in addition to the partnerships identified in 6.1, DC Water will work with local development agencies, organizations and the contractor community to implement a process to expand the capacity of local residents to work with Contractors on DC Water projects. Such efforts will include development of a skills training and placement program.

The areas of training under this program may change from time to time, but shall generally be based on DC Water's construction forecast and the needs of project Contractors.

The Skills Training and Placement Program will consist of three (3) stages:

Stage 1: Basic Skills Training

Local training providers will help create and maintain a pipeline of participants with soft skills and basic job skills training. At minimum, Stage 1 participants will receive training in the following areas:

- Basic Math and Reading
- Construction Safety and OSHA 10
- CPR and First Aid
- Life Skills (Business Etiquette)
- National Center for Construction Education and Research Core Curriculum Training
- Continued retention services whereby an assigned career coach will provide follow-along retention services for three months to assist participants throughout the Job Placement and Training program.

Stage 2: Skills Training

Upon completion of Stage 1, participants will be eligible to enroll with a skills training provider for continued development in a selected trade. The goal is to further develop the necessary skills for employment by DC Water Contractors.

Stage 3: Job Placement Services for Graduates

Graduates of the training program will be preferred candidates for referrals for contractor employment and/or apprenticeship opportunities.

DC Water has established a goal that fifty percent (50%) of the program graduates will be placed with employers. (The Skills Training provider(s) is responsible for achieving this goal).

Additionally, in support of this component, the skills training provider(s) will:

- Upon graduation, the Skills Training provider(s) will conduct a private targeted career fair with DC Water Contractors with the Program's participants. Contractors will work with DC Water and participate in the fair and consider the graduates for further apprenticeship opportunities and/or Contractor vacancies.
- Engage with contractors in the local community and match program graduates with available vacancies.

7.0 Apprenticeship

Apprenticeship training is an essential pathway to a productive career in the construction trades. DC Water recognizes that implementation of an Apprenticeship Utilization policy on DC Water projects is important to achieve the goals of the DC WaterWorks Program.

Accordingly, each Contractor performing an apprentice-able trade(s) on a DC Water project, and with a contract over \$500,000 shall participate in an apprenticeship program registered with its home State Apprenticeship Agency or the District of Columbia Apprenticeship Registration Agency. Apprentice-able trades include, but are not limited to:

Bricklayers Masonry	Heat and Frost Insulators	Plasterers and Cement Masons
Carpentry	HVAC/Mechanical	Roofers and Water-proofers
Electrical Workers	Ironworkers	Sheet Metal Workers
Elevator Constructors	Operating Engineers	Welders
Equipment Operators	Painters and Allied Trades Finishers	

Contractors will use apprentices on DC Water contracts, at a ratio of no less than one (1) apprentice to three (3) journeymen. Non-exempt Contractors will use DC Water Works as the first referral source for new candidates for its apprenticeship program.

8.0 Community Outreach

In order to educate local residents on the employment opportunities available through DC Water Works and encourage their participation, DC Water will undertake measures that include but are not limited to the following:

8.1 DC Water Job Centers

DC Water will maintain Job Centers within the District of Columbia that will be open to the general public and provides access to employment opportunities with DC Water Contractors. The Centers will provide additional support to local residents, including:

- Allowing individuals to view Contractor employment opportunities, complete applications, submit resumes.
- Referring individuals to external support such as referrals to the Workforce Investment Council, DC Department of Employment Services, etc.

8.2 Advertisement

In addition to posting Contractor employment opportunities on the DC Water website and sharing such opportunities with Strategic Partners, job listings will be posted at the two DC Water Works Job Centers, the District Department of Employment Services Job Centers, the District of Columbia Public Libraries, and the University of the District of Columbia. Individuals seeking work will be able to complete a registration form at each of these locations and view/apply for Current contractor employment opportunities.

8.3 Employment Fair

DC Water will sponsor at least one employment fair each year, at which:

- Contractor employment forecasting and apprenticeship opportunities will be identified.
- Information on the Job Skills training program and the application process will be explained.
- Staff and Contractor representatives will be available to potential applicants to discuss employment opportunities.

Fairs and workshops may be held by DC Water or in conjunction with a co-sponsor.

8.4 Targeted Employment Events

As necessary, DC Water will coordinate small scale job fairs for individual contractors with immediate employment needs.

8.5 Contractor Days

Once per month, representatives from DC Water's Contractors will meet with individuals seeking employment to provide an overview of their respective project(s) as well as qualifications needed to gain employment in their field. Registration is required.

8.6 Mentor/Internship

Contractors performing construction, inspection or maintenance work on DC Water projects are encouraged to operate a mentor/internship program for District Residents. Details on the mentor/internship program can be found at www.dewater.com.

9.0 Incentives

9.1 Preference Program

DC Water will use criteria that includes local hiring and outreach as an evaluation factor when short-listing and selecting firms.

- 9.1.1 For projects awarded through Requests for Proposals (RFP's) and Design Build contracts awarded through an RFQ/RFP process, the evaluation matrix will be

modified to provide points under “Qualifications of Firm” for proposers that document their experience/ internal programs to hire locally.

9.1.2 For Invitation for Bids (IFB), preference points for local hiring past performance will be considered as part of the selection process.

9.2 Post-Award Incentives

- DC Water will issue a Semi-Annual update to Contractors based on their employment participation.
- At the end of each project, Contractors will receive a “Thank you/Update” letter on local employment participation.
- All firms with District hires will be listed in the Procurement Annual Report (as an appendix). Top five firms may be featured in a “one pager” in the report.

10.0 Contractor Reporting

10.1 Employment Plan – Refer to Section 3.0, “Employment Plan”

10.2 Certified Payroll Reporting

Consistent with the Davis Bacon compliance requirements on applicable DC Water projects, Contractors with construction contracts of \$2,000 or greater must submit weekly certified payroll reports.

10.2.1 Service Contract Act Quarterly Reports

Consistent with DC Water requirements, in lieu of submitting weekly certified payrolls, projects subject to the Service Contract Act (SCA), submit periodic quarterly reports that identify workers assigned to DC Water along with the corresponding wage classification and hourly rate.

10.3 Bi-Monthly Employment Report

As stipulated in Section 4.0, applicable Contractors must submit a bi-monthly employment compliance report.

10.4 Online Compliance Database

All compliance reports will be submitted through DC Water’s Online Compliance Database.

11.0 Administration of the Program

To ensure success of the Program, DC Water will include the DC WaterWorks requirements in construction and service solicitations and will review these requirements in DC Water's pre-bid meetings/ conferences, pre-construction meetings and orientations.

11.1 Monitoring and Reporting

DC Water will implement procedures for monitoring Water Works compliance. DC Water will ensure that contractors fully comply with all elements of the Water Works Program. Individual projects will be assigned to a compliance officer who will enforce contract language and review the required periodic contractor performance reporting.

Further, DC Water will generate compliance and analytic reports for management review, Governance Committee Presentations, including an annual report on actual results to the Board of Directors.

12.0 Exemptions

The following list the exemptions to the DC Water Works Program:

- a) To the extent the DC Water works Program conflicts with any federal labor laws or governmental regulations, the federal laws or regulations shall prevail.
- b) Financial Service and Legal Service contracts are exempt.
- c) Goods-Only contracts are exempt.
- d) Work performed outside of the DC Water User Jurisdiction or at a Contractors' home office is exempt.
- e) Emergency purchases are exempt.
- f) Job openings to be filled by laid-off workers according to formally established recall procedures and rosters do not need to be submitted to DC Water.
- g) Contractors operating under the DC Water Green Infrastructure Memorandum of Agreement, for the provision of design, construction, inspection, and maintenance on a DC Water Green Infrastructure project.

- h) Contractors with pre-existing collective bargaining agreements (CBAs), project labor agreements (PLAs), established employment programs, etc. are exempt from the requirement to use DC Water as its first referral source.

In such instances, the Contractor(s) will provide DC Water with written documentation of any collective bargaining agreement covering work involved with this Project. Further, if a representative of the Contractor's collective bargaining unit has any comments or objections to the reporting requirements or goals, the Contractor or subcontractor(s) will promptly provide them to DC Water.

In any event, all applicable Contractors with CBA's PLA's and established employment programs are still required to submit the DC Water Works Bi-Monthly Utilization report and exercise good faith efforts to achieve the goals of the program.