

EMERGENCY

City of Cincinnati

An Ordinance No. _____

CMZ

BBM

-2020

MODIFYING Section 320-1-P2, “Primary Apprenticeable Occupation” of Chapter 320, “Compliance Guidelines for Construction Contracts Issued by Water Works and the Department of Sewers” of the Cincinnati Municipal Code to amend the definition of “Primary Apprenticeable Occupation.”

WHEREAS, on June 26, 2012, City Council ordained Chapter 320 of the Cincinnati Municipal Code to provide requirements for those contractors who could be awarded construction contracts for the Department of Sewers based on significant capital work required to be completed; and

WHEREAS, Chapter 320 was amended to include construction contracts for the Greater Cincinnati Water Works that are \$400,000 or more; and

WHEREAS, one requirement of Chapter 320 is that bidders on these construction contracts identify the Primary Apprenticeable Occupation for the project, which is that occupation that will comprise the largest number of hours working on that construction project; and

WHEREAS, there has been some confusion regarding how the Primary Apprenticeable Occupation should be determined, and therefore it is appropriate to clarify the definition; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 320-1-P2, “Primary Apprenticeable Occupation” of Chapter 320, “Compliance Guidelines for Construction Contracts Issued by Water Works and the Department of Sewers” of the Cincinnati Municipal Code is hereby amended to read as follows:

Sec. 320-1-P2. - Primary Apprenticeable Occupation.

“Primary Apprenticeable Occupation” shall mean the apprenticeable occupation that comprises the largest number of hours on the project, as determined by the number of construction hours expected to be performed in that apprenticeable occupation at the time the construction contract is executed. “Primary Apprenticeable Occupation” shall be determined by looking to past industry practices in the locality concerning which workers traditionally have done the work that will comprise the largest number of hours on the project, including review of the labor classifications traditionally assigned the work according to prevailing wage and federal Davis-Bacon laws.

Section 2. That existing Section 320-1-P2 of the Cincinnati Municipal Code is hereby repealed.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to clarify the definition of "Primary Apprenticeable Occupation" to prevent confusion on future construction contracts subject to Chapter 320 of the Cincinnati Municipal Code.

Passed: _____, 2020

John Cranley, Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strikethrough.