



Legislation Details (With Text)

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Title:	Construction Contracts of a Certain Size - Percentage of Apprenticeship Jobs if Awarded (B)				
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Attachments:	1. 180402A_Employing Apprentices on City Construction Projects Memo_20191212, 2. 180402B_GPC Apprenticeship Presentation_20191212, 3. 180402C_ABC Chapter sues St. Pete over construction hiring requirements_20191212, 4. 180402D_Construction Employment Statistics - Summary Oct. 2018 to 2019_20191212, 5. 180402E_Construction Employment Statistics_20191212, 6. 180402F_AGC Report - 80 percent of Contractors Report Difficulty finding Qualified Craft Workers - 8-27-2019_20191212, 7. 180402G_AGC Report - 80 percent of Contractors Report Difficulty Finding Qualified Craft Workers - National Statistics_20191212, 8. 180402H_AGC Report - 80 percent of Contractors Report Difficulty Finding Qualified Craft Workers - South Statistics_20191212, 9. 180402I_AGC Report - 2019 Construction Industry Workforce Survey Results - South_20191212, 10. 180402J_AGC Report - 2019 Construction Industry Workforce Survey Results - Firms \$50 million or less_20191212, 11. 180402K_ICIC Blog - For Cities with Diversity Goals Pre-Apprenticeships Prove Critical_20191212, 12. 180402L_general-apprenticeship-information-Apprenticeship Florida_20191212, 13. 180402M_2019appr-rpt-State-of-Florida-Apprenticeship-Programs_20191212, 14. 180402N_GRU_Memo_Apprenticeship_Program_Impacts_20201112, 15. 180402A_Plaintiff's Motion for Summary Judgment_20201112.pdf, 16. 180402B_Plaintiff's Reply in Support of Plaintiff's Motion for Summary Judgment_20201112.pdf, 17. 180402_Hayes-Santos_Minutes10-Sept-2020-10-27-31_20201112.pdf				

Date	Ver.	Action By	Action	Result
11/19/2020	3	City Commission	Approved, as shown above	Pass
12/12/2019	1	General Policy Committee	Approved, as shown above	Pass
3/14/2019	1	General Policy Committee	Approved, as shown above	Pass
9/20/2018	1	City Commission	Referred	Pass

Construction Contracts of a Certain Size - Percentage of Apprenticeship Jobs if Awarded (B)

On September 10, 2020, the General Policy Committee (GPC) discussed this referral which was erroneously placed under a new Legistar No. 200157. At that time the GPC requested the City Attorney's Office provide an update on the lawsuit filed against the City of St. Petersburg, Florida regarding its Apprenticeship Ordinance and Disadvantaged Workers Ordinance. The litigation was filed by the Florida Gulf Coast Chapter of Associated Builders & Contractors, Inc. (ABC Gulf), a trade association comprised of member businesses from Alachua County to Collier County. You can view the members of this organization at the following link: <https://abcfllgulf.org/>.

ABC Gulf challenged both ordinances alleging that the ordinances are preempted by state statutes and are unconstitutional. ABC Gulf has asked the court to make a ruling (a motion for summary judgment) that the two

ordinances are invalid. The parties have requested the judge hear oral argument, but at the drafting of this agenda item, that has not yet been scheduled. A copy of ABC Gulf's Motion for Summary Judgment and its Reply are included in the back-up.

The City of Gainesville could wait for the outcome of the St. Petersburg case to have more certainty in moving forward with the adoption of similar ordinance(s), or alternatively, if the City of Gainesville decides to move forward during the pendency of the St. Petersburg case, the City should consider the legal arguments made by ABC Gulf in attempting to craft legally defensible programs.

In addition to providing the litigation update, the City Attorney's Office requests that the development of apprenticeship and/or disadvantaged worker programs be assigned to the City Manager and the General Manager for Utilities for further policy work by their respective procurement staffs, and if needed, further guidance or decision making from the City Commission. That work is necessary before a draft ordinance can be finalized for Commission consideration.

None.

City Commission: 1) review the St. Petersburg litigation, and 2) consider whether to move forward with development of apprenticeship and/or disadvantaged worker programs at this time, and if so, assign this item to the City Manager and General Manager for Utilities for further policy work.