



Northwestern University Facilities Management Workforce Development Program

1. **Definition.** For the purposes of this local employment program, a City of Evanston Resident shall be defined as follows:

- *Any person whose domicile is in the City of Evanston. The domicile is an individual's one and only true, fixed and permanent home and principal establishment.*

2. **Local Workforce Requirements**

a. Unless prohibited by federal, state, or local law, all contractors entering into contracts with Northwestern University for construction projects on the Evanston Campus where the total project cost is valued at one million dollars (\$1,000,000) or more shall ensure that:

- Five (5) percent of the total work hours performed at the construction site are performed by City of Evanston residents.

b. This requirement shall be for the total work hours expended on the project site and include both persons working directly for the contractor and persons working for all tiers of subcontractors, hired to perform any portion of the contracted work.

3. **Bid documents, contracts and subcontracts**

Where appropriate and consistent with law, contracts, subcontracts and bid documents shall incorporate the local employment program by reference. Contracts and bid documents shall require contractors and subcontractors to maintain records necessary for monitoring their compliance with the local employment program.

4. **Local resident outreach**

In order to satisfy the local resident work hours requirements of the local employment program, contractors working under a collective bargaining agreement shall contact the appropriate local union hall to request an Evanston resident and shall also contact the office of the City Manager to request an available Evanston resident from the City's local resident database of union tradespeople. The City will provide the name of residents matching the qualifications identified by the contractor within three (3) business days.

In order to satisfy the local resident work hours requirement of the local employment program, contractors working in the absence of a collective bargaining agreement shall contact the City of Evanston to request an available Evanston resident from the City's local resident database. The City will provide the name of a resident matching the qualifications identified by the contractor within three (3) business days.

Special consideration should be given to employ local residents in all apprenticeship positions.

5. **Reporting requirements**

The contractor shall submit reports as required by the University in order to comply with the local employment program. The Contractor will be required to maintain certified payrolls for all employee hours expended on the project site and of all tiers of

subcontracting. The Contractor will be required to submit a monthly summary of the information that would be obtainable from the certified payrolls regarding local employment by craft. These reports must identify the address, and trade and status (journeyman or apprentice) of all workers on the project site. All reports must have an original signature and be signed by an authorized officer of the company under penalty of perjury. The University will make a copy of all required forms available to contractors. The report will be required to be submitted with the Monthly Application for Payment to document all work hours performed on the project site during the month prior to the period covered by the Application for Payment.

Nothing in the local employment program is intended to eliminate the requirement of a contractor to maintain certified payrolls or of the subcontractors to provide certified payrolls to the contractor.

See FORM - FMlocal

6. Monitoring

The University will monitor compliance with the requirements of the local employment program. Audits of compliance may require the review of documents such as certified payrolls, canceled checks, or quarterly wage and withholding reports. Full scale investigations of noncompliance or violations will be on an as needed basis as determined by the University.

A contractor that fails to provide requested documents or misrepresents material facts in such documents shall be deemed to be noncompliant with the local employment program.

7. Waiver

- a. The contractor may request that the University waive all or a portion of the requirements imposed under the local employment program. Such requests must be in writing and must be received by the Project Manager prior to final application for payment. In order to apply for a waiver, the contractor must maintain records throughout the course of the project and submit the following information:
 - (1) Documentation to University demonstrating that:
 - A. The contractor utilized the local resident database maintained by the City of Evanston to attempt to satisfy the local employment program hiring requirement.
 - B. The contractor notified City of Evanston through the City Manager's office of the employment opportunities available for the project.
 - C. The contractor has notified the Illinois Department of Employment Security's Office located in Evanston, Illinois, of the employment opportunities.
 - D. The contractor, for a contract utilizing union labor, contacted in writing Chicagoland Labor Unions to request a resident for employment on the project.
 - E. Any additional documents requested by the University in order to evaluate the waiver request.

- b. The University shall determine, based on the required documentation and conditions cited by the contractor that make compliance unfeasible, whether to grant the waiver. Examples of such conditions include, but are not limited to:
 - (1) Unavailability of resident(s) necessary to fulfill craft position(s) required for the project.

8. Bonus and Penalties

At the completion of the contracted work, if the Contractor has exceeded the total local resident work hours requirement of five (5) percent of total work hours performed in aggregate on the project work site, the Contractor will earn a bonus equal to 20% of the total labor cost for hours in excess of the 5% requirement up to 10% of total work force hours. The total bonus shall not exceed \$200,000.

At the completion of the contracted work, if the Contractor has failed to meet the total local resident work hours requirement of five (5) percent of total work hours performed on the project work site, the Contractor will be penalized an amount equal to 20% of the average labor cost for every hour less than 5% of the total work hours on the job site up to and not exceeding \$200,000.

If during the course of the project, the University has granted waivers for a portion of the local employment program requirements, the waiver will reduce the overall project goal on which a penalty is calculated. However, the waivers will not reduce the overall five (5) percent total goal on which the bonus is calculated.

June 1, 2014