

**Virginia Department of Transportation (VDOT)**

**Geographic-Based  
Hiring Preferences:  
Special Experimental  
Project -14 Application**

September 2, 2015

Local Worker and Veterans Hiring Preferences Work Plan

### Document Version control

<b>Version</b>	<b>Date Issued</b>
Initial Submission	July 20, 2015
1 <sup>st</sup> Revised Submission	September 2, 2015

**Geographic-Based Hiring Preferences in Administering Federal Awards  
Pilot  
Program Application for SEP-14  
Approval  
September 2,  
2015**

**A. INTRODUCTION**

In this Special Experimental Project No. 14 (SEP-14) application, Virginia Department of Transportation (VDOT) intends to use a local labor and veteran workers hiring preference on a variety of construction projects. Non-construction projects were considered for the SEP-14 work plan; however, construction projects provide a greater opportunity for local and veteran hiring, whereas, non-construction projects, such as design typically limit employment opportunities. This SEP-14 work plan is submitted under the Notice: Contracting Initiative announced in the March 6, 2015 Federal Register, as well as the associated Pilot Program under Special Experimental Project No. 14 Alternative Contracting.

Historically, Federal Highway Administration (FHWA) prohibited its recipients from using contract provisions, such as local labor and veteran workers hiring preference contract provisions that do not directly relate to the bidder's performance of work. VDOT is requesting FHWA's approval for the use of these provisions on selected Federal-aid projects under the experimental authorities under 23 U.S.C. 502 and SEP-14.

Transportation in the Commonwealth of Virginia plays a key role in "keeping Virginia moving," connecting travelers, moving goods, providing access to communities and economic opportunity. Project proposals and procurements which include local worker and veteran preference requirements can positively impact the communities in which transportation investments are made. The subsequent award of such contracts can improve access to jobs, growing the new Virginia economy and otherwise offer societal and economic benefits and opportunities for the workers that reside in these communities.

**B. SUMMARY OF EXPERIMENTAL PROJECT FEATURES**

VDOT requests FHWA to approve the following experimental aspects of the Project:

1. Permit preferential hiring of veterans and qualified persons who regularly reside in the local area where the work is to be performed;
2. Use of local workers and veterans hiring requirements as a condition of bid responsiveness; and
3. Use of good faith efforts to meet contract requirements.

This SEP-14 work plan permits preferential hiring of local workers and veterans (in the Commonwealth) and will be tested on a variety of projects and project delivery methods such as design-bid-build, design-build, and public-private partnerships. Local workers and veterans is defined in Section F of this work plan and in each special provision.

A design-bid-build procurement is based on low bid and a special provision outlining local and veteran preferences will be inserted in the bid advertisement. Bid responsiveness is a condition of Design-build and public-private partnership contracts and would be confirmed on a pass/fail basis during the Request for qualifications (RFQ) and Request for Proposals (RFP) phase, and will include special provisions outlining local and veteran preferences in the procurement documents.

VDOT's work plan also includes good faith efforts procedures through quarterly reporting and monitoring. However, no sanctions will be imposed for not meeting specific local and veteran hiring preference goals during the pilot study. In the event the results from the pilot program reveal any negative impacts, USDOT, FHWA, and VDOT would implement sanctions which could include disincentives and enjoinderment from participating on future procurements for a specified amount of time.

# Geographic-Based Hiring Preferences in Administering Federal Awards Pilot Program Application for SEP-14 Approval

September 2, 2015

## C. BACKGROUND AND PURPOSE

Under the March 6, 2015 Notice Contracting Initiative, the USDOT has initiated a new pilot program under which for a one-year period ending March 6, 2016, various previously-prohibited contracting methods may be used on an experimental basis. In support of this pilot program and Virginia's Executive Order 23 Workforce Initiative, this SEP-14 work plan will evaluate local worker and veteran hiring preferences effects on the procurement and award of contracts under the Federal-aid highway program.

The Commonwealth of Virginia is committed to increasing access and opportunities for citizens seeking employment and veteran job seekers within the construction industry workforce. Therefore, the purpose of this SEP-14 work plan is to support and grow the Commonwealth's commitment by means of a robust hiring and retention program for local workers and veterans. This work plan also includes a process that will allow VDOT and FHWA to monitor and evaluate whether the proposed contracting requirements approved for use herein has a negative effect on the integrity of the competitive bidding process.

Many local governments recognize the importance of encouraging local hiring through their capital program construction contracts. While 23 USC Section 112 has been interpreted by USDOT to impose substantive constraints regarding competitive bidding requirements, the contracting initiative announced in March 2015 provides Federal-aid recipients with an opportunity to evaluate such requirements on federally assisted construction projects on a pilot-project basis. These requirements have a variety of worthwhile local objectives, such as ensuring that the communities in which the projects are located benefit from the jobs that result from the investment of their funds, particularly for workers in low income areas. This pilot program will enable VDOT to evaluate the effectiveness and efficiency of the use of Federal-aid and local funds in achieving the desired objectives.

Allowing local worker preferences in hiring, where none currently exists, may result in additional local hiring and in non-local workers not obtaining jobs they otherwise might get. To the extent that labor markets are constricted, this could increase labor costs<sup>1</sup>. Similarly, if the local supply of labor in required skills trade is low, productivity could decrease and project costs could increase. Therefore, to the extent that such information is obtainable or readily available, the work plan will also evaluate the effects on factors such as the (1) pool of potential bidders; (2) performance of work under the contract; (3) efficiency in connection with the procurement of a specific project as compared to a project of similar scope, schedule, cost and complexity; (4) efficient and effective use of federal funds; and (5) ability to preserve the integrity of the competitive bidding process.

## D. SCOPE

Through this work plan, VDOT will take some or all of the following actions on the projects detailed in Section G to assess the benefits, costs, and impacts on competition:

Establish monitoring, reporting and administration requirements;

Evaluate the effects of local worker and veteran hiring preference requirements on competitive bidding by comparing the number of bidders and bid amounts for each advertisement, and to the extent that bid information is available, evaluate the differences in bid prices or total bids with similar projects that do not have the local worker and veteran hiring preference and explain potential differences;

1. Conduct surveys from both VDOT and contracting industry to obtain opinions as to whether the local worker hiring and veteran preference requirement resulted in any additional administrative

<sup>1</sup> Labor defines how efficiently and cost effectively equipment is operated, materials are properly installed, requisite quality is attained, and (industry standard) safety working conditions are achieved.

# Geographic-Based Hiring Preferences in Administering Federal Awards Pilot Program Application for SEP-14 Approval

September 2, 2015

- or transactional costs and/or risk quantification<sup>2</sup>, such as bid preparation, recruitment and training for the local and veteran workers, workforce productivity, job-site and occupational safety impacts, schedule impacts, and overall contract administration costs;
2. Collect data that demonstrates that the communities in which the five projects are located benefit from the jobs that result from the investment of the recipient or sub-recipient's funds; and
  3. Align VDOT's On-the-Job Training (OJT) program to work in coordination with workforce systems and career technical educational programs that are consistent with current and future transportation industry needs.

## E. SCHEDULE

VDOT plans to advertise all projects as shown in the Ad schedule in Section G below. VDOT will continue to review other projects that may be added to its program of projects suitable for this pilot study during the initial one year period and beyond in the event of an extension of the pilot program study.

## F. GOALS

The SEP-14 work plan provides for a percentage of labor hiring preferences for local workers and veterans for each of the projects identified in the program listing in Table 2.

VDOT has established a minimum requirement of 75% for local worker and/or veteran new hire participation. Hiring by subcontractors will also count toward meeting the percentage goal.

For the purpose of this SEP-14 work plan, local worker carries the meaning of a person whose primary residence is within or adjacent<sup>3</sup> to the county(ies), city(ies), region and/or area impacted by the construction or operation of a VDOT project. The project impact area is defined for each project prior to advertisement. VDOT's Civil Rights Division and the project manager responsible for the procurement delivery method will be responsible for defining the project impact area.

Veteran shall mean any person that meets the definition of "veteran" in either 5 USC §2108 or 38 USC § 101. For the purpose of this SEP-14 work plan, veterans must reside in the Commonwealth of Virginia to be considered part of the veteran workforce.

Further, new hire shall mean employees who work on the project to whom the employer anticipates paying earnings on a full-time, part-time, and temporary basis that are hired for a specific project. New hires include employees reporting to work for the first time or re-hires (employees who return to work after being laid off, furloughed, separated, granted a leave without pay, or terminated from employment).

Contractors that can demonstrate that they have means to complete the work on the project within the pilot program without the use of new hires will not be penalized; however, any vacancies that may occur must be filled with new hires, whenever possible, to meet the 75% new hire goal.

Current workforce, local, and veteran new hires will be counted by the number of employees and not how many hours they are paid. The process for capturing local and veteran information is streamlined as to not add additional administrative burden to the reporting contractor.

---

<sup>2</sup> When bidding a project, contractors may quantify risks, hiring workers whose skills and proficiencies are unknown or untested, recruiting and training (unskilled) workers to attain the requisite skills and knowledge, loss of job-site productivity, non-optimal use of contractor's existing core workforce; such cost would be absorbed in the bid price.

<sup>3</sup> Adjacent shall mean a jurisdiction within the Commonwealth of Virginia that physically adjoins a project undergoing improvements as scoped in the procurement documents.

# Geographic-Based Hiring Preferences in Administering Federal Awards Pilot Program Application for SEP-14 Approval

**September 2, 2015**

## G. DESCRIPTION OF PROCUREMENT

Identified in Table 2 below, is a list of targeted projects, estimated cost and procurement schedule on which the SEP-14 work plan requirements and application process applies. All projects under consideration are scheduled for advertisement prior to March 6, 2016. The project listing includes projects that VDOT selected for this pilot program because local worker and veterans are more likely to have the requisite skill sets to perform work. A project narrative, and purpose and need for each candidate project are shown in Table 1 below. VDOT continues to review other projects that may be added to its program of projects suitable for this pilot study during the initial one year period, and beyond, in the event of an extension of the pilot program study.

UPC	<b>Table 1 Project Narrative and Purpose and Need</b>
87907	<p>The purpose of this project is to improve traffic flow and increase capacity on Wise-Norton Road. This will be accomplished by widening the roadway from two lanes to a three lane facility.</p> <p>This project will widen the roadway, providing two 14' wide outside travel lanes and adding a 13' wide center turn lane and improve the horizontal alignment within the existing corridor. The wide outside lanes will accommodate bicycles. A five (5') feet wide sidewalk will be provided on the western side to accommodate pedestrians.</p>
81435	<p>The existing structurally deficient bridge was built in 1936. The bridge sufficiency rating is 46.3 and posted for 27/40 tons. The vertical clearance over the railroad is substandard at 22'-0" (needs at least 23'-0" clearance per VDOT Vol. 5 Part 11, File 06.06-1).</p> <p>This project is for the replacement of the Route 58 bridge over Rte. 632 and CSX Railway, 4.35 miles east of the intersection of Rte. 258. The existing structure is 213 feet in length, and 36' out-to-out width, 32' of roadway. The new structure would be lengthened to account for the 1 foot increase in vertical clearance back into existing roadway, with a minimal increase in bridge width.</p>
93094	<p>The purpose of the subject project is to replace the existing South Bound Route 1 Bridge over CSX Right of Way in Dinwiddie County for safety.</p> <p>This Route 1 Bridge was constructed in 1948 and has a sufficiency rating of 42. It spans a 100' wide CSX right of way that will accommodate the future South East High Speed Rail corridor. The new bridge will provide 51' horizontal opening (abutment to abutment) centered on the 100' CSX Right of Way and 24'4" vertical clearance to accommodate the double stack- electrified high speed rail design.</p>
13558 (I-95/630)	<p>The existing diamond interchange at Exit 140 (Stafford County) on Interstate 95 at Route 630 cannot efficiently handle the current volume of traffic.</p> <p>This project will involve a full reconstruction of the I-95/Route 630 interchange (Exit 140/Courthouse Road). The reconstructed interchange will be a diverging diamond interchange.</p>
4362 (Route 630)	<p>The Route 630 widening is adjacent to the I-95/630 interchange project (to the west). The project will reconstruct and widen Route 630 (Courthouse Road) to a 4 lane divided section, including traffic signalization and various crossovers, and a 10' shared use path along north side.</p>
I-66	<p>Transform 66 - Outside the Beltway a multimodal project to transform Interstate 66 (would move more people, enhance connectivity in the corridor and provide new travel choices on I-66, along a 25-mile stretch of highway from U.S. Route 15 in Haymarket to I-495/Capital Beltway.</p>

**Geographic-Based Hiring Preferences in Administering Federal Awards Pilot  
Program Application for SEP-14 Approval**

**September 2, 2015**

UPC	<b>Table 1 Project Narrative and Purpose and Need</b>
	The proposed project includes: <ul style="list-style-type: none"><li>• a combination of multimodal improvements that include 2 managed lanes in each direction,</li><li>• 3 general purpose lanes in each direction with auxiliary lanes where needed,</li><li>• enhanced rapid bus service with predictable travel times, and</li><li>• park and ride lots with direct connections to managed lanes, and operational improvements to the general purpose lanes.</li></ul>

## Geographic-Based Hiring Preferences in Administering Federal Awards Pilot Program Application for SEP-14 Approval

September 2, 2015

**Table 2**

Ad Date	Completion Date	UPC	Project Number	Federal No.	Locality	County	Project Description	Fed Funding **	Con. Cost
11/10/2015	07/27/2017	81435	0058-046-262,PE101, C501, B626	BR-5A03(756)	Isle of Wight	Isle of Wight	Rte 58 Business Bridge (Carrsville) over Rte. 632 and CSX	\$4,275,000	\$5,361,088
12/8/2015	10/27/2017	87907	0757-097-791,P101, C501	STP-097-1(096)	Wise	Wise	Rte 757 - Widen To A 3-Lane Urban Design	\$5,125,000	\$6,397,682
12/8/2015	08/03/2017	93094	0001-026-576,P101,	BR-026-4(020)	Dinwiddie	Dinwiddie	Rte 1 South - Bridge Replacement Over CSX RW (Fed ID 5917)	\$4,125,000	\$5,354,401
Fall 2015	04/30/2019	13558 4632	0095-089-F09,P101, C501, B649, B647, B648 0630-089-202,P101,	NH-095-2(529) STP-089-6(110)	Stafford	Stafford	RTE 630 and I-95 Interchange Reconstruction RTE 630 - WIDEN TO 4 LANES	\$90,000,000	\$112 M
09/17/2015	Oct 2020	105239 54911	Transform 66 - I-66 Outside the beltway managed lanes project	NH-066-1(300)	Prince William Fairfax	Prince William Fairfax	25-mile managed lanes- multimodal improvements from U.S. Route 15 in Haymarket to I-495 Capital Beltway	~ \$975,000,000 Includes \$700M TIFIA	~\$2.1B

\*\* estimated levels of federal funding

# Geographic-Based Hiring Preferences in Administering Federal Awards Pilot Program Application for SEP-14 Approval

September 2, 2015

## H. SPECIAL PROVISIONS

Special provisions and general notes have been developed as part of the work plan and are attached herewith. In the case of design-bid-build projects, all special provisions will be provided as per the advertisement schedule. For design-build projects, contract language and special provisions will be provided in the Request for Qualifications and/or the Request for Proposals.

For public-private partnership projects procured under the 1995 Public-Private Transportation Act (as amended), Code of Virginia §33.2-1800, the Request for Qualifications will require the Offerors to submit an outline of its recruitment, hiring, and training practices and approach. Additional contract language and special provisions will be provided in the Request for Proposals and Comprehensive Agreement. Example special provisions for each project delivery method are attached to this work plan.

## I. EVALUATION MEASURES

As further detailed below, this Section I describes how VDOT will establish metrics to evaluate the effects of relevant contracting requirements.

1. VDOT will evaluate and report on how the work plan and procurement process will protect or preserve the integrity of the competitive bidding (negotiation) process, either in connection with the specific project contract or when considered over the long term for VDOT's program.
2. For each awarded project in the pilot program, VDOT will perform an analysis to evaluate the effects of competitiveness and cost efficiencies. The effects on competitiveness and cost efficiencies listed in a and b below will be performed on each separate project:
  - a. VDOT will evaluate the effects on competitive bidding by comparing the number of bidders submitting bids to similar projects without the hiring preference. To the extent that such information is available, projects without hiring preference will be selected from the number of bidders on projects 24 months prior to the advertisement and 18 months forward of projects which included the hiring preference. The evaluation may consist of (one or more) a survey, questionnaire or face-to-face or telephonic interview with plan holders who did or did not bid on projects.
  - b. To the extent that bid information is available, VDOT will perform an analysis of select bid items on projects which includes the hiring preference to same bid items on projects with similar scope and complexity without the hiring preference.
3. VDOT's work plan may include an analysis of the effectiveness and efficiency of federal funding for the Local and Veteran Hiring Program requirement through the following:
  - a. An objective analysis of Form C-66, VDOT Local Worker and Veteran Employment Report (copy attached to this work plan), to determine the effectiveness of contract provisions to promote the increase of local and veteran workers on the contract.
  - b. Prime contractor, design-builder and/or concessionaire interview/focus groups will be held at the conclusion of the contract to obtain bidder/offeror's opinion of the effectiveness and efficiency of the Local and Veteran Hiring Program provision on bidder/offeror's construction operations and to discuss any potential concerns or recommendations for the program;
  - c. Working collaboratively with local jurisdictions to evaluate the net economic benefit of employing local and veteran workers by analyzing the potential monetary benefits that a local jurisdiction may derive from employing additional local and veteran workers; and

# Geographic-Based Hiring Preferences in Administering Federal Awards Pilot Program Application for SEP-14 Approval

September 2, 2015

- d. To the extent such information is available, analyze the potential economic benefits of hiring local workers and veterans may have on the overall efficiency and effectiveness of other federal funding by impacting and or reducing federal funding related to unemployed individuals in the project's jurisdiction.
4. VDOT will provide an opinion from both the prime contractor, design-builder and/or concessionaire and VDOT personnel familiar with the procurement on whether the hiring preference requirement resulted in any additional respective administrative or transactional costs. Areas to consider, as applicable to the contractor's, design-builder and/or concessionaire and VDOT respective expenditures, include:
  - a. Impacts to contractor's, design-builder and/or concessionaire practices in recruitment and training for the local and veteran workers to obtain the required skilled trades to become productive;
  - b. Impacts to contractor's, design-builder and/or concessionaire core workforce over the long term (many skills are only needed for short periods of time);
  - c. Impacts on contractor's, design-builder and/or concessionaire ability to maintain a stable workforce when staffing up for back log; and
  - d. Associated additional agency and contractor's, design-builder and/or concessionaire costs in administering the program requirements.
5. The pilot program itself, is not expected to have any measurable impact on the integrity of the competitive bidding process, as each bidder is required to comply with contracting processes and requirements regarding bid responsiveness, responsibility, and good faith efforts towards meeting the local worker and veteran hiring goal. The VDOT Local Worker and Veteran Employment Report (VDOT Form C-66) quantifies the Contractor's current workforce to include the hiring of local workers and veterans during the projects contract period. Any results and data collection acquired during the pilot program would not be an accurate gauge of any long-term impacts, due to the short one-year term of the pilot program.
6. In the initial and final report, VDOT will account for any legal issues associated with this pilot program.

## J. REPORTING

VDOT will prepare and submit initial and final evaluation reports for the project. The initial report will be prepared within 30 days after receipt of the Contractor's 2<sup>nd</sup> quarterly report and will include an objective assessment of the procurement process, and an initial analysis of the Contractor's compliance as reported on Form C-66, the VDOT Local Worker and Veteran Employment Report. The initial report will also include a synthesis of any surveys, questionnaires, meetings or other assessments bids, pool of bidders and the effectiveness and efficiency of the program.

A final report will be submitted upon completion of all the projects included in the pilot program. The final report will update the initial report, and provide an overall analysis, conclusions and best practices, including an overall evaluation of the measures as outlined in Section I above for the pilot program.

**Virginia Department of Transportation (VDOT)**

**Local and Veteran Hiring Program  
Special Provisions**

**VIRGINIA DEPARTMENT OF TRANSPORTATION  
SPECIAL PROVISION FOR  
LOCAL AND VETERAN HIRING PROGRAM FOR DESIGN-BID-BUILD PROJECTS**

September 2, 2015

**Local and Veteran Hiring Program Requirements**

**I. General**

The purpose of the Local and Veteran Hiring Program is to support and grow the Commonwealth's commitment by means of a robust hiring and retention program for veterans and local workers. The Contractor shall utilize On-the-job training, apprenticeships or recruitment programs to actively solicit veterans and local workers. When any hiring is done for this project, 75% of all new hires shall be either a local resident or a veteran. New hire participation represents employees paid specifically for work performed on the project and may be randomly verified through the checking of payrolls. Hiring by subcontractors will count toward meeting the percentage goal. Veteran shall mean any person that meets the definition of "veteran" in either 38 USC §101 or 5 USC §2108. Local worker shall mean that the person resides in the following jurisdictions: \_\_\_\_\_.

The Contractor agrees to assume these contractual obligations and to contractually bind subcontractors to the same. The Contractor shall physically include this same contract provision in every subcontract that it makes or executes.

**II. Local and Veteran Hiring Program – Related Certifications Made by Contractor**

By entering into this Contract the Contractor certifies to each of the following Local and Veteran Hiring Program-related conditions and assurances:

- A. To comply with this Special Provision, which outlines project construction and administrative obligations of the Local and Veteran Hiring Program as set forth in this Special Provision.
- B. To comply fully with the Local and Veteran Hiring Program requirements in the execution and performance of the Contract.
- C. To ensure that veterans and local workers have been given full and fair opportunity to participate in the hiring process for vacant positions.
- D. To make good faith efforts to obtain veterans and local workers' participation in the proposed Contract at or above the local and veteran hiring goal.
- E. To designate to the Department a liaison officer who is assigned the responsibility of administering and promoting an active and inclusive Local and Veteran Hiring Program.

**III. Local and Veteran Hiring Program Compliance Procedures**

The following procedures shall apply to the Contract for Local and Veteran Hiring Program compliance purposes:

- A. **Hiring:** The Contractor shall use standard hiring practices, including interviews, to consider all qualified applicants in the defined local geographic area to meet the established local and veteran hiring goal. Contractor shall make good faith efforts to fill all available positions with veteran and local applicants. Local Workforce Development Centers and the Virginia Employment Commission may be used for applicant referrals. The Contractor is encouraged to partner with local Workforce Development Centers for local applicants.
- B. **New Hire:** Employees who work on the Project to whom the employer anticipates paying earnings include full-time, part-time, and temporary statuses that are employed for a specific project. New hires shall include employees reporting to work for the first time or re-hires (employees who return to work after being laid off, furloughed, separated, granted a leave without pay, or terminated from employment).
- C. **Local and Veteran Hiring Goal, Good Faith Efforts Specified:** Contractor shall provide evidence of progress made toward meeting the local and Veteran hiring goal established for the Contract and must submit to the Department, on a quarterly basis, information relative to the percentage of local or veteran workers performing work on the Project compared to the total project workforce.
- D. **Good Faith Efforts Described:** The Department will determine if the Contractor has demonstrated adequate good faith efforts, and if given all relevant circumstances, those efforts were made actively and aggressively to meet the local and veteran hiring goal. Efforts to obtain local and veteran hiring goals are not good faith efforts if they could not reasonably be expected to produce a level of local worker's participation sufficient to meet Local and Veteran Hiring Program requirements and the local and Veteran hiring goal.

Good faith efforts may be determined by soliciting for vacant positions through reasonable and available means in the local area, such as but not limited to, advertising, written notices to local Workforce Development Centers and the Virginia Employment Commission.

A list of actions the Contractor may take to meet the local worker and veteran's hiring goal can be found in the Good Faith Efforts Guidelines.

#### **IV. Project Completion**

The Contractor may submit documentation to the Department's designee to substantiate that failure was beyond the Contractor's control and that all feasible means had been used to achieve the local and veteran hiring goal. The Department's designee, upon verification of such documentation shall determine whether the Contractor has met the requirements of this Provision.

#### **V. Existing Local Workforce**

Existing local and veteran workforce participation in the execution and performance of the Contract will count toward the Design-Builder's total local workers and veteran's workforce. This information will be captured on the VDOT Local Worker and Veteran Employment Report (Form C-66). Local workers residing in the jurisdictions as set out in Section (b) (i)

will be included in the Design-Builder's workforce. Only veterans, as defined in Section (b) (i), who reside in the Commonwealth of Virginia will be included in this computation.

#### **VI. Quarterly Reports**

Each Contractor and subcontractor shall prepare quarterly reports detailing the current workforce and the employment of local and veteran workers. Reports shall be filed within thirty days after the completion of each quarter. The Contractor shall report compliance on Form C-66 in accordance with the instructions attached to the form, or an equivalent report in a format otherwise acceptable to the Department.

#### **VII. Availability of Records**

The Department will comply with provisions of the Federal and Virginia Freedom of Information and Privacy Acts (5 U.S.C. 552 and 552a and Code of Virginia § 2.2 -3700) regarding any requests for information concerning any aspect of the Local Hiring Program.

#### **VIII. Measurement and Payment**

There will be no separate bid item for this work.

**VIRGINIA DEPARTMENT OF TRANSPORTATION  
SPECIAL PROVISION FOR  
LOCAL HIRING PROGRAM FOR DESIGN-BUILD PROJECTS**

September 2, 2015

**Local Hiring Program Requirements**

(a) General

- (i) The Commonwealth of Virginia is committed to reducing barriers to employment to ensure a diverse workforce in the construction industry. Therefore, the purpose of the Local Hiring Program is to support and grow the Commonwealth's commitment by means of a robust hiring and retention program for local workers and veterans and a robust On-the-Job Training (OJT) Program.
- (ii) The Design-Builder and any subcontractors shall comply with this Special Provision.
- (iii) The parties recognize the importance of recruiting, hiring, and technical and workplace training of local workers and veterans in the development of the Project and execution of the Contract. As such, the Design-Builder shall utilize workforce on-the-job training, apprenticeship and recruitment programs to actively recruit local workers and veterans.
- (iv) The Design-Builder shall comply with all applicable state and federal law, regulations, guidelines, and policies in the administration of this Special Provision and the award and administration of subcontracts pursuant to the Contract. Failure by the Design-Builder to carry out the requirement in this Special Provision will subject the Design-Builder to the enforcement mechanisms as set forth herein, but shall not result in a right of the Department to terminate the Contract.
- (v) All time frames referenced in this Special Provision are expressed in business days (Days) unless otherwise indicated. Should the expiration of any deadline fall on a weekend or holiday, such deadline will automatically be extended to the next normal business day.
- (vi) In accordance with the Local Hiring Program requirements, the Design-Builder, and subcontractors shall commit to complying fully with this Special Provision. The Design-Builder agrees to assume these contractual at the Design-Builder's expense.
- (vii) For the purposes of this Special Provision, Offeror is defined as any individual, partnership, corporation, or Joint Venture that formally submits a Statement of Qualification or Proposal for the work contemplated there under; Design-Builder is defined as any individual, partnership, or Joint Venture that contracts with the Department to perform the Design-Build Work; and subcontractor is defined as any supplier, manufacturer, or subcontractor performing work or furnishing material, supplies or services to the Contract. New hires shall be as defined in Section (b) (v) herein below.

(b) Design-Build Work.

- (i) During performance of the Design-Build Work, the Department has established a minimum requirement of 75% for local worker and/or veteran new hire participation

New hire participation represents employees paid specifically for work performed on the project and may be randomly verified through the checking of payrolls. Hiring by subcontractors will count toward meeting the percentage goal. Veteran shall mean any person that meets the definition of "veteran" in either 38 USC §101 or 5 USC §2108. Local worker shall mean that the person resides in the following jurisdictions: \_\_\_\_\_

The Department and the Design-Builder agree to manage this goal as follows:

- (A) the Design-Builder shall submit for the Department's review and approval and initial Hiring Development Plan, and an updated Hiring Development Plan as further described herein. The initial and updated Hiring Development Plan shall be submitted within 30 Days after Contract award and on January 30 of each year prior to achieving Substantial Completion of the Project. The Hiring Development Plan shall define the Design-Builder's approach to meeting the workforce minimum requirements set forth in this Section (b) (i);
  - (B) the Design-Builder shall designate resources, including a liaison officer designated and made known to the Department who is assigned the responsibility of administering and promoting an active and inclusive Hiring Development Plan to ensure all programs related to the Hiring Development Plan are compliant with this Special Provision. The designation and identity of this officer needs to be submitted as part of the Initial and Updated Hiring Development Plan;
  - (C) the Design-Builder shall ensure that local workers and veterans have been given full and fair opportunity to participate in the hiring process for vacant positions;
  - (D) the Design-Builder shall make Good Faith Efforts to obtain local workers and veterans' participation in the execution and performance of the Contract at or above the established local worker & veteran hiring goal set forth in this Section (b) (i);
  - (E) the Design-Builder shall provide to the Department each calendar quarter, after approval of the Initial Hiring Development Plan, documentation of all local worker and veteran workforces; and
  - (F) each calendar quarter, the Design-Builder will provide Good Faith Efforts documentation using Form C-66, VDOT Local Worker and Veteran Employment Report or equivalent tracking measures and other supplemental information as appropriate. Current workforce and local and veteran new hires shall be tracked by the number of employees and not how many hours such employee is paid. Form C-66 or Design-Builder's equivalent report in a format otherwise acceptable to the Department, shall be used to capture the Design-Builder's workforce at contract execution and local workers and veterans hired and terminated during the course of the project.
- (ii) During the performance of the Design-Build Work, the parties will work cooperatively to accomplish the local worker and veteran recruitment, hiring and OJT objectives, as established in the approved Hiring Development Plan and its subsequent updates. The

Department will assist the Design-Builder in meeting the Design-Build Work workforce minimum requirements set forth in Section (b) (i) by offering assistance in the following activities:

- (A) the parties will jointly conduct outreach meetings for local workers and veterans; and
  - (B) the parties will jointly identify agencies or firms that actively employ or recruit local workers and veterans.
- (iii) The Design-Builder acknowledges that the Department's assistance and cooperation will not eliminate or reduce the Design-Builder's responsibility to achieve the Design-Build Work workforce minimum requirements set forth in Section (b) (i) or demonstrate Good Faith Efforts. The Design-Builder is expected to utilize a variety of means and methods and creative strategies to do so. These strategies should be employed during the performance of the Design-Build Work. The Design-Builder shall meet the workforce minimum requirements set forth in Section (b) (i) or demonstrate that Good Faith Efforts have been made.
- (iv) When there is a workforce minimum requirement for the Design-Build Work, the Design-Builder shall make Good Faith Efforts to meet the workforce minimum requirement through obtaining enough local and veteran worker workforce participation or documenting the Good Faith Efforts it made to do so. The Department shall not disregard showings of Good Faith Efforts, and it gives the Design-Builder the right to have the Department reconsider a decision that their Good Faith Efforts were insufficient. The Department must seriously consider the Design-Builder's documentation of Good Faith Efforts. The Department will issue Good Faith Efforts Guidelines providing examples, procedures and reporting requirements for the Design-Builder's consideration.
- (v) During the performance of the Design-Build Work the following procedures shall apply to the Hiring Development Plan for compliance purposes:
- (A) **Hiring:** The Design-Builder shall use standard hiring practices, including interviews, to consider all qualified applicants in the defined local geographic area to meet the established local and veteran hiring goal. The Design-Builder shall make Good Faith Efforts to fill all available positions with local and veteran applicants. Local Workforce Development Centers and the Virginia Employment Commission may be used for applicant referrals. The Design-Builder is encouraged to partner with local Workforce Development Centers for local applicants;
  - (B) **New Hire:** Employees who work on the Project to whom the employer anticipates paying earnings include full-time, part-time, and temporary statuses that are employed for a specific project. New hires shall include employees reporting to work for the first time or re-hires (employees who return to work after being laid off, furloughed, separated, granted a leave without pay, or terminated from employment); and
  - (C) **Good Faith Efforts Described:** The Department will determine if the Design-Builder has demonstrated adequate Good Faith Efforts, and if given all relevant circumstances, those efforts were made actively and aggressively to meet the local and veteran hiring goal. Efforts to obtain local

and veteran hiring goals are not Good Faith Efforts if they could not reasonably be expected to produce a level of local worker's participation sufficient to meet the local and veteran hiring goal set forth in this Special Provision.

Good Faith Efforts may be determined by soliciting for vacant positions through reasonable and available means in the local area, such as but not limited to, advertising, written notices to local Workforce Development Centers and the Virginia Employment Commission.

A list of actions the Contractor may take to meet the local worker and veteran's hiring goal can be found in the Good Faith Efforts Guidelines.

(c) Local Worker and Veteran Workforce Participation Reporting and Assessment

- (i) The Design-Builder and each subcontractor shall report to the Department quarterly, within 15 Days after each calendar quarter ends, on the Design-Builder's efforts to (A) satisfy the local and veteran worker workforce minimum requirements set forth in Section (b)(i) or (B) demonstrate Good Faith Efforts to accomplish the local and veteran worker workforce minimum requirements set forth in Section (b)(i).
- (ii) The Department will assess, confirm and communicate to the Design-Builder within 30 Days after receiving each quarterly report whether the Design-Builder has (A) satisfied the local worker and veteran workforce minimum requirements, (B) demonstrated Good Faith Efforts, or (C) failed to satisfy the requirements of clause (A) and (B) of this Section (c)(ii), and the reasons why the Department has determined Good Faith Efforts has not been satisfied.
- (iii) The Design-Builder shall report compliance on Form C-66, VDOT Local Worker and Veteran Employment Report, in accordance with the instructions attached to the form or an equivalent report in a format otherwise acceptable to the Department.

(d) Failure to Demonstrate Local Worker and Veteran Recruitment and Hiring Good Faith Efforts Related to Design-Build Work

- (i) If the Department notifies the Design-Builder pursuant to Section (d) that the Design-Builder has failed to satisfy the requirements of clause (A) and (B) of Section (c)(i) with respect to the local worker and veteran participation workforce minimum requirements for the Design-Build Work for a quarterly period, the Design-Builder will have until the end of the next consecutive quarter to demonstrate that it has satisfied the requirements of either clause (A) and (B) of Section (c)(ii) with respect to such local worker and veteran participation workforce minimum requirements.
- (ii) If the Design-Builder has failed to satisfy the requirements of clause (A) and (B) of Section (c)(ii) with respect to the local worker and veteran participation workforce minimum requirements for the Design-Build Work for two consecutive quarters based on the determinations by the Department pursuant to Section (c), the Design-Builder will prepare and submit, at the Design-Builder's sole cost and expense, a Participation Performance Improvement Plan for the Department's review and approval. The Participation Performance Improvement Plan will describe the specific actions and measures that the Design-Builder will undertake to improve its performance with respect to satisfying the requirements of clause (A) and (B) of Section (c)(ii) with

respect to the participation workforce minimum requirements for the Design-Build Work. The Design-Builder will submit the Participation Performance Improvement Plan within 15 days after receiving notice from the Department pursuant to Section (d) that the Design-Builder has failed to satisfy the requirements of clause (A) and (B) of Section (c)(ii). The Design-Builder will reimburse the Department for its Allocable Costs in reviewing, approving and monitoring the Design-Builder's compliance with the Participation Performance Improvement Plan until the Design-Builder satisfies the requirements of either clause (A) or (B) of Section (c)(ii) with respect to the local worker and veteran participation workforce minimum requirements set forth in Section (b) (i) for the Design-Build Work.

(e) Project Completion Related to the Design Build Work

The Design-Builder may submit documentation to the Department to substantiate that failure was beyond the Design-Builder's control and that all feasible means had been used to achieve the local and veteran hiring goal. The Department, upon verification of such documentation shall determine whether the Design-Builder has met the requirements of this Special Provision.

(f) Existing Local and Veteran Workforce

Existing local and veteran workforce participation in the execution and performance of the Contract will count toward the Design-Builder's total local workers and veteran's workforce. This information will be captured on the VDOT Local Worker and Veteran Employment Report (Form C-66). Local workers residing in the jurisdictions as set out in Section (b) (i) will be included in the Design-Builder's workforce. Only veterans, as defined in Section (b) (i), who reside in the Commonwealth of Virginia will be included in this computation.

**VIRGINIA DEPARTMENT OF TRANSPORTATION  
SPECIAL PROVISION FOR  
LOCAL HIRING PROGRAM FOR P3 PROJECTS**

September 2, 2015

**Local Hiring Program Requirements**

(a) General

- (i) The Commonwealth of Virginia is committed to reducing barriers to employment to ensure a diverse workforce in the construction industry. Therefore, the purpose of the Local Hiring Program is to support and grow the Commonwealth's commitment by means of a robust hiring and retention program for local workers and veterans and a robust On-the-Job Training (OJT) Program.
- (ii) The Concessionaire, Design-Builder and any subcontractors shall comply with this Special Provision.
- (iii) The parties recognize the importance of recruiting, hiring, and technical and workplace training of local workers and veterans in the development and execution of the Project. As such, the Concessionaire shall utilize workforce on-the-job training, apprenticeship and recruitment programs to actively recruit local workers and veterans.
- (iv) The Concessionaire shall comply with all applicable state and federal law, regulations, guidelines, and policies in the administration of this Special Provision and the award and administration of subcontracts pursuant to the Comprehensive Agreement. Failure by the Concessionaire to carry out the requirements in this Special Provision will subject the Concessionaire to the enforcement mechanisms as set forth herein, but shall not result in a right of the Department to terminate the Comprehensive Agreement.
- (v) All time frames referenced in this Special Provision are expressed in business days (Days) unless otherwise indicated. Should the expiration of any deadline fall on a weekend or holiday, such deadline will automatically be extended to the next normal business day.
- (vi) In accordance with the Local Hiring Program requirements, the Concessionaire, Design-Builder, and subcontractors shall commit to complying fully with this Special Provision. The Concessionaire agrees to assume these contractual obligations at the Concessionaire's expense.
- (vii) For the purposes of this Special Provision, Offeror is defined as any individual, partnership, corporation, or Joint Venture that formally submits a Statement of Qualification or Proposal for the work contemplated there under; Design-Builder is defined as any individual, partnership, or Joint Venture that contracts with the Concessionaire to perform the Design-Build Work; and subcontractor is defined as any supplier, manufacturer, or subcontractor performing work or furnishing material, supplies or services to the contract. New hires shall be as defined in Section (b) (v) herein below.

(b) Design-Build Work

- (i) During performance of the Design-Build Work, the Department has established a minimum requirement of 75% for local worker and/or veteran new hire participation. New hire participation represents employees paid specifically for work performed on the project and may be randomly verified through the checking of payrolls. Hiring by subcontractors will count toward meeting the percentage goal. Veteran shall mean any person that meets the definition of "veteran" in either 38 USC §101 or 5 USC §2108. Local worker shall mean that the person resides in the following jurisdictions: \_\_\_\_\_.

The Department and the Concessionaire agree to manage this goal as follows:

- (A) the Concessionaire shall submit for the Department's review and approval and initial Hiring Development Plan, and an updated Hiring Development Plan as further described herein. The initial and updated Hiring Development Plan shall be submitted within 30 Days after the Project has achieved Financial Close and on January 30 of each year prior to achieving Substantial Completion of the Project. The Hiring Development Plan shall define the Concessionaire's approach to meeting the workforce minimum requirements set forth in this Section (b) (i);
- (B) the Concessionaire shall designate resources, including a liaison officer designated and made known to the Department who is assigned the responsibility of administering and promoting an active and inclusive Hiring Development Plan to ensure all programs related to the Hiring Development Plan are compliant with this Special Provision. The designation and identity of this officer needs to be submitted as part of the Initial and Updated Hiring Development Plan;
- (C) the Concessionaire shall ensure that local workers and veterans have been given full and fair opportunity to participate in the hiring process for vacant positions;
- (D) the Concessionaire shall make Good Faith Efforts to obtain local workers and veterans' participation in the execution and performance of the Comprehensive Agreement at or above the established local worker and veteran hiring goal set forth in this Section (b) (i);
- (E) the Concessionaire shall provide to the Department each calendar quarter, after approval of the Initial Hiring Development Plan, documentation of all local worker and veteran workforces; and
- (F) each calendar quarter, the Concessionaire will provide Good Faith Efforts documentation using Form C-66, VDOT Local Worker and Veteran Employment Report or equivalent tracking measures and other supplemental information as appropriate. Current workforce and local and veteran new hires shall be tracked by the number of employees and not how many hours such employee is paid. Form C-66 or Concessionaire's equivalent report in a format otherwise acceptable to the Department, shall be used to capture the Concessionaire's workforce at contract execution

and local workers and veterans hired and terminated during the course of the project.

- (ii) During the performance of the Design-Build Work, the parties will work cooperatively to accomplish the local worker and veteran recruitment, hiring and OJT objectives, as established in the approved Hiring Development Plan and its subsequent updates. The Department will assist the Concessionaire in meeting the Design-Build Work workforce minimum requirements set forth in Section (b) (i) by offering assistance in the following activities:
  - (A) the parties will jointly conduct outreach meetings for local workers and veterans; and
  - (B) the parties will jointly identify agencies or firms that actively employ or recruit local workers and veterans.
- (iii) The Concessionaire acknowledges that the Department's assistance and cooperation will not eliminate or reduce the Concessionaire's responsibility to achieve the Design-Build Work workforce minimum requirements set forth in Section (b) (i) or demonstrate Good Faith Efforts. The Concessionaire is expected to utilize a variety of means and methods and creative strategies to do so. These strategies should be employed for all phases of the Project. The Concessionaire shall meet the workforce minimum requirements set forth in Section (b) (i) or demonstrate that Good Faith Efforts have been made.
- (iv) When there is a workforce minimum requirement for the Design-Build Work, the Concessionaire shall make Good Faith Efforts to meet the workforce minimum requirement through obtaining enough local and veteran worker workforce participation or documenting the Good Faith Efforts it made to do so. The Department shall not disregard showings of Good Faith Efforts, and it gives the Concessionaire the right to have the Department reconsider a decision that their Good Faith Efforts were insufficient. The Department must seriously consider the Concessionaire's documentation of Good Faith Efforts. The Department will issue Good Faith Efforts Guidelines providing examples, procedures and reporting requirements for the Concessionaire's consideration.
- (v) During the performance of both the Design-Build Work and Operations and Maintenance Work, the following procedures shall apply to the Hiring Development Plan for compliance purposes:
  - (A) **Hiring:** The Concessionaire shall use standard hiring practices, including interviews, to consider all qualified applicants in the defined local geographic area to meet the established local and veteran hiring goal. The Concessionaire shall make Good Faith Efforts to fill all available positions with local and veteran applicants. Local Workforce Development Centers and the Virginia Employment Commission may be used for applicant referrals. The Concessionaire is encouraged to partner with local Workforce Development Centers for local applicants;
  - (B) **New Hire:** Employees who work on the Project to whom the employer anticipates paying earnings include full-time, part-time, and temporary statuses that are employed for a specific project. New hires shall include employees reporting to work for the first time or re-hires (employees who

return to work after being laid off, furloughed, separated, granted a leave without pay, or terminated from employment) ; and

- (C) **Good Faith Efforts Described:** The Department will determine if the Concessionaire has demonstrated adequate Good Faith Efforts, and if given all relevant circumstances, those efforts were made actively and aggressively to meet the local and veteran hiring goal. Efforts to obtain local and veteran hiring goals are not Good Faith Efforts if they could not reasonably be expected to produce a level of local worker's participation sufficient to meet the local and veteran hiring goal set forth in this Special Provision.

Good Faith Efforts may be determined by soliciting for vacant positions through reasonable and available means in the goal area, such as but not limited to, advertising, written notices to local Workforce Development Centers and the Virginia Employment Commission.

A list of actions the Contractor may take to meet the local worker and veteran's hiring goal can be found in the Good Faith Efforts Guidelines.

(c) Operations and Maintenance Work (O&M Work)

- (i) During performance of the O&M Work, when contracting for such work the Concessionaire will promote the participation of a local and veteran worker workforce participation on the Project. When any hiring is performed related to the O&M Work, 75% of all new hires shall be calculated annually and shall be either a local worker and/or a veteran. Hiring by subcontractors will count toward meeting the percentage goal. Local worker and veteran shall have the same meaning as defined in Section (b) (i) of this Special Provision.

Concessionaire's failure to demonstrate good faith efforts in meeting the local worker and veteran hiring goal shall result in Concessionaire's compliance with Section (e) of this Special Provision, as it pertains to operations and maintenance work.

(d) Local Worker and Veteran Workforce Participation Reporting and Assessment

- (i) The Concessionaire, Design-Builder and each subcontractor shall report to the Department quarterly, within 15 Days after each calendar quarter ends, on the Concessionaire's efforts to (A) satisfy the local and veteran worker workforce minimum requirements set forth in Section (b)(i) or (B) demonstrate Good Faith Efforts to accomplish the local and veteran worker workforce minimum requirements set forth in Section (b)(iv).
- (ii) The Department will assess, confirm and communicate to the Concessionaire within 30 Days after receiving each quarterly report whether the Concessionaire has (A) satisfied the local worker and veteran workforce minimum requirements, (B) demonstrated Good Faith Efforts, or (C) failed to satisfy the requirements of clause (A) and (B) of this Section (d)(ii), and the reasons why the Department has determined Good Faith Efforts has not been satisfied.

- (iii) The Concessionaire shall report compliance on Form C-66, VDOT Local Worker and Veteran Employment Report, in accordance with the instructions attached to the form or an equivalent report in a format otherwise acceptable to the Department.

(e) Failure to Demonstrate Local Worker and Veteran Recruitment and Hiring Good Faith Efforts Related to Design-Build Work

- (i) If the Department notifies the Concessionaire pursuant to Section (d) that the Concessionaire has failed to satisfy the requirements of clause (A) and (B) of Section (d)(i) with respect to the local worker and veteran participation workforce minimum requirements for the Design-Build Work for a quarterly period, the Concessionaire will have until the end of the next consecutive quarter to demonstrate that it has satisfied the requirements of either clause (A) and (B) of Section (d)(ii) with respect to such local worker and veteran participation workforce minimum requirements.

- (ii) If the Concessionaire has failed to satisfy the requirements of clause (A) and (B) of Section (d)(ii) with respect to the local worker and veteran participation workforce minimum requirements for the Design-Build Work for two consecutive quarters based on the determinations by the Department pursuant to Section (d), the Concessionaire will prepare and submit, at the Concessionaire's sole cost and expense, a Participation Performance Improvement Plan for the Department's review and approval. The Participation Performance Improvement Plan will describe the specific actions and measures that the Concessionaire will undertake to improve its performance with respect to satisfying the requirements of clause (A) and (B) of Section (d)(ii) with respect to the participation workforce minimum requirements for the Design-Build Work. The Concessionaire will submit the Participation Performance Improvement Plan within 15 days after receiving notice from the Department pursuant to Section (d) that the Concessionaire has failed to satisfy the requirements of clause (A) and (B) of Section (d)(ii). The Concessionaire will reimburse the Department for its Allocable Costs in reviewing, approving and monitoring the Concessionaire's compliance with the Participation Performance Improvement Plan until the Concessionaire satisfies the requirements of either clause (A) or (B) of Section (d)(ii) with respect to the local worker and veteran participation workforce minimum requirements for the Design-Build Work.

(f) Project Completion Related to the Design Build Work

The Concessionaire may submit documentation to the Department to substantiate that failure was beyond the Concessionaire's control and that all feasible means had been used to achieve the local and veteran hiring goal. The Department, upon verification of such documentation shall determine whether the Concessionaire has met the requirements of this Special Provision.

(g) Existing Local and Veteran Workforce

Existing local and veteran workforce participation in the execution and performance of the Comprehensive Agreement will count toward the Concessionaire's total local workers and veteran's workforce. This information will be captured on the VDOT Local Worker and Veteran Employment Report (Form C-66). Local workers residing in the jurisdictions as set out in Section (b) (i) will be included in the Concessionaire's workforce. Only veterans, as defined in Section (b) (i), who reside in the Commonwealth of Virginia will be included in this computation.

Virginia Department of Transportation (VDOT)

**Local and Veteran Hiring Program  
Good Faith Efforts Guidelines**

**VIRGINIA DEPARTMENT OF TRANSPORTATION**

**Good Faith Efforts (GFE) Guidelines**

September 2, 2015

**For**

**Local Workers and Veterans Hiring Program**

Good faith efforts may be determined through use of the following list of actions the contractor may take to meet the local worker and veterans' workforce goal for project new hires. This is not intended to be a mandatory checklist, nor is it intended to be exclusive or exhaustive. Other factors or types of efforts of similar intent may be relevant in appropriate cases:

- Actively solicit and give preference to qualified local workers and/or veterans for all project employment opportunities.
- Make formal and informal contact with community organizations, workforce development organizations, unions, faith-based organizations, the Virginia Employment Commission, community centers, social services groups, and other community resources that may be able to refer qualified applicants for available jobs.
- Provide appropriate employment outreach signage at the project site and throughout the project area to inform local workers and veterans of employment opportunities.
- Participate in construction community job fairs, school-to-work, and community events to recruit local workers and veterans.
- Allow scheduled job site visits by participants in community programs, as safety allows, increasing awareness of job and training opportunities.
- Maintain written documentation of all outreach events and recruiting efforts to include event, name of organization, address, and contact person.
- Maintain written documentation of all requests for workers from community organizations, apprenticeship programs, unions, and other community resources.
- Maintain written documentation for all paid advertising to recruit local workers and veterans for available jobs.
- Maintain an applicant flow log or similar tracking system for all applicants applying for available jobs, as well as, maintain a file on each local worker who was referred, but not hired with an explanation for why the applicant was not hired.
- Submit the monthly VDOT Local Workers and Veterans Employment Report.
- Develop and maintain internet and social media sites (Facebook, Twitter, LinkedIn, etc.) as a means of disseminating information as well as for recruiting workers.

Virginia Department of Transportation (VDOT)

**Local and Veteran Hiring Program  
Form C-66 VDOT Employment Report**

## VDOT Local Worker and Veteran Employment Report

Please complete the boxes with yellow fill. The charts should autopopulate according to the information entered on the Data Input page. See Instructions on next page for further clarification on fields and categories.

<b>Project Name:</b>	
<b>Project Location:</b>	
<b>Current Reporting Quarter:</b>	
<b>Current Reporting Quarter Number:</b>	7
<b>Company Name:</b>	
<b>Contract Amount:</b>	
<b>Date of Contract Execution:</b>	
<b>Contract Completion Date:</b>	

### Contractor Workforce (at Contract Execution)

Job Status	Non-Local/Veteran Worker		Veteran		Local Worker		Local Worker and Veteran		All Local Workers and Veterans			All Workers
	M	F	M	F	M	F	M	F	M	F	Total	Total
<b>Total Initially Employed</b>	-	1	1	-	1	1	-	-	2	1	3	4

### Number of Local Workers and Veterans by Job Status Since Contract Execution

Job Status	Non-Local/Veteran Worker		Veteran		Local Worker		Local Worker and Veteran		All Local Workers and Veterans			All Workers
	M	F	M	F	M	F	M	F	M	F	Total	Total
Hired this Quarter	1	-	-	-	-	-	1	-	1	-	1	2
Hired prior to this Quarter	-	1	1	-	2	2	2	-	5	2	7	8
<b>Total Currently Employed</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>-</b>	<b>6</b>	<b>2</b>	<b>8</b>	<b>10</b>
Resigned/Terminated this Quarter	-	-	1	-	-	-	-	-	1	-	1	1
Resigned/Terminated Prior to this Quarter	-	-	-	-	1	-	1	-	2	-	2	2
<b>Total Resigned/Terminated</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>3</b>	<b>-</b>	<b>3</b>	<b>3</b>

### Number of Currently Employed Local Workers and Veterans by Job Category

Job Category	Non-Local/Veteran Worker		Veteran		Local Worker		Local Worker and Veteran		All Local Workers and Veterans			All Workers
	M	F	M	F	M	F	M	F	M	F	Total	Total
Executive/Senior Level Official and Manager	-	-	-	-	-	1	-	-	-	1	1	1
First/Mid-Level Official and Manager	-	-	-	-	-	-	-	-	-	-	-	-
Professional	-	1	-	-	-	-	-	-	-	-	-	1
Technician	-	-	-	-	-	-	-	-	-	-	-	-
Sales Worker	-	-	-	-	-	-	-	-	-	-	-	-
Administrative Support Worker	-	-	-	-	-	1	1	-	1	1	2	2
Craft Worker	1	-	1	-	1	-	2	-	4	-	4	5
Operative	-	-	-	-	-	-	-	-	-	-	-	-
Laborer/Helper	-	-	-	-	1	-	-	-	1	-	1	1
Service Worker	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Currently Employed</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>-</b>	<b>6</b>	<b>2</b>	<b>8</b>	<b>10</b>

### Number of Currently Employed Local Workers and Veterans by Ethnicity

Ethnicity	Non-Local/Veteran Worker		Veteran		Local Worker		Local Worker and Veteran		All Local Workers and Veterans			All Workers
	M	F	M	F	M	F	M	F	M	F	Total	Total
Minority	1	1	1	-	1	2	3	-	5	2	7	9
Non-Minority	-	-	-	-	1	-	-	-	1	-	1	1

I certify, under penalty of perjury, that the information shown on this form is true and accurate.

\_\_\_\_\_  
Name/Position

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### Local Worker and Veterans Employment Report

The **Design-Builder/Concessionaire** is required to submit a Virginia Contractor Veterans and Local Workers' Employment Report for the duration of the project. All reports are subject to monitoring and enforcement mechanisms. It is the responsibility of the Concessionaire to provide evidence of employment of veterans and local workers in response to monitoring and enforcement compliance reviews.

The instructions below correspond to each item on the report. Please follow the instructions.

- 1) **Project Name** - Enter the name the project is commonly referred as.
- 2) **Project Location** - Enter the location where the project under contract is located.
- 3) **Current Reporting Quarter** - Indicate the reporting period based on the current year and quarter based on the Reporting Schedule.
- 4) **Current Reporting Quarter Number** - Indicate the reporting period number since Date of Contract Execution. Number one should be the first reporting quarter.
- 5) **Company Name** - Enter the name of the contractor/subcontractor filling out the form.
- 6) **Contract Amount** - Enter the dollar value of contract to be performed by the contractor/subcontractor during the contract.
- 7) **Date of Contract Execution** - Enter the date the contract was executed by Concessionaire or first tier subcontractor.
- 8) **Contract Completion Date** - Enter the date the contract is to be completed.
- 9) **Last Name** - Enter last name of local worker/veteran hired during the reporting period.
- 10) **First Name** - Enter the first name of local worker/veteran hired during the reporting period.
- 11) **Job Category** - Select the job category the local worker/veteran was hired for during the reporting period.
- 12) **Job Status** - Select whether the local worker/veteran hired during the reporting period is a new hire, existing employee, or if an existing employee has resigned or been terminated.
- 13) **Number of Quarter when Hired of Resigned/Terminated** - Select which quarter since the first reporting quarter that the local worker/veteran was either hired or resigned/terminated. Number one should be the first reporting quarter.
- 14) **Gender** - Select whether the local worker/veteran hired during the reporting period is male or female.
- 15) **Local Worker/Veteran** - Select whether the local worker/veteran hired during the reporting period is a local worker only, veteran only, or both a local worker and veteran worker.
- 16) **Ethnicity** - Select the ethnicity of the local worker/veteran hired during the reporting period.

#### Reporting Schedule

Quarter	Reporting Period	Date Due
1st	January 1 – March 31	15 business days after reporting period
2 <sup>nd</sup>	April 1 – June 30	15 business days after reporting period
3 <sup>rd</sup>	July 1 – September	15 business days after reporting period
4th	October 1 – December 31	15 business days after reporting period

NOTE: If the submittal date falls on a holiday, the forms shall be submitted the following business day.

#### Proof of Virginia Residency

Employers submitting the VDOT Local Worker and Veteran Employment Report must be able to support employees identified as local workers and veterans as residents of Virginia. Original documents must show the name and address of the employee's current Virginia residence. A street address must be given; a post office box or business address is not acceptable.

1. Deed, mortgage, monthly mortgage statement or residential rental/lease agreement.
2. U.S. or Virginia income tax return form from the previous year along with evidence of acceptance of the return by the appropriate tax agency.
3. Utility bill, not more than two months old, issued in the name of the employee.  
Examples include gas, electric, sewer, water, cable, or phone bill. (Cellular phone and pager bills are not accepted.)
4. Virginia Voter Registration Card or Virginia Voter Information Card mailed to employee by local registrar.
5. Virginia driver's license, commercial driver's license, learner's permit, or DMV-issued ID card displaying the employee's current Virginia address.
6. Monthly bank statement not more than two months old issued by a bank.
7. Payroll check stub issued by an employer within the last two months.
8. U.S. Internal Revenue Service tax reporting W-2 form or 1099 form not more than 18 months old.
9. Receipt for personal property taxes or real estate taxes paid within the last year to the Commonwealth of Virginia or a Virginia locality.
10. Current automobile or life insurance bill (Cards or policies are not accepted.)
11. Annual Social Security Statement for the current or preceding calendar year.
12. Certified school transcript issued by school in which employee is currently enrolled and is accredited by a US State, jurisdiction or territory.
13. Virginia Department of Education Certificate of Enrollment form.

**Veterans must also provide a copy of their DD Form 214 to be considered a veteran in the Commonwealth of Virginia.**