



MEETING NOTES
Labor-Management Community Oversight Committee (LMCOC)
 Columbia Boulevard Wastewater Treatment Plant STEP

Meeting 28

Monday, January 23, 2023, 1:50 p.m. to 3:35 p.m.

Location: On-line and In-Person

Attendance

LMCOC Members	Owner:	Dawn Uchiyama
	Contractor:	Rajasegaran Ponniah, Jim Studer
	CBO:	Roland Chlapowski
	Unions:	Nathan Stokes, Twauna Hennessee
	Employers:	Nathaniel Hartley, Molly Washington, Dr. J.W. Matt Hennessee
Alternates	Contractor:	Devanta Black
	Unions:	Aaron Strong
Staff	City:	Muriel Gueissaz-Teufel, Paula Wendorf, Angela Pack
	Contractor:	Adam Correia, Lyle Perry, Andre' Baugh, Eric Johanson
Facilitation	Team:	Lisa Beutler, Laurie Allen
	Guest:	Laura Standridge, P.E., Standridge, Inc.

Meeting Action Items

#	Item	Owner	Timeframe
1.	Provide follow-up to Nate Stokes' inquiry on how Glacier is going to meet apprenticeship goal without being a certified training agent.	Eric Johanson	Next meeting
2.	Hold discussion on protocol/flowchart for contractor apprenticeship and minority worker submission.	Facilitator	Future Agenda
3.	Compile a list of questions for the upcoming agenda item regarding contractors and Union Hall dispatch of apprentices and minority workers.	Molly Washington	Next meeting
4.	Follow-up with Kelly Haines regarding Harder Mechanical's efforts to meet CBA goals.	Eric Johanson	Next meeting

Order of Business

Log-in, Roll Call, (2.) Welcome and Greetings, (3.) Agenda and Action Item Review

- o Attendees confirmed by LMCOC Facilitator, a quorum is present.

Reviewed status of the action items.

#	Item	Owner	Timeframe	Status
1.	Provide follow-up to Nate Stokes' inquiry on how Glacier is going to	Eric Johanson	January meeting	Nate Stokes offered to have discussions with Glacier. Eric

#	Item	Owner	Timeframe	Status
	meet apprenticeship goal without being certified training agents.			Johanson will collaborate with him.
2.	Hold discussion on protocol for contractor apprenticeship and minority worker submission.	Facilitator	Future Agenda	Ongoing.
3.	Compile a list of questions for the upcoming agenda item regarding contractors and Union Hall dispatch of apprentices and minority workers.	Molly Washington	January meeting	Completed
4.	Follow-up with Kelly Haines regarding Harder Mechanical's efforts to meet CBA goals.	Eric Johanson	January meeting	Topic revisited in January Meeting

4. Consent Calendar

The October and November/December 2022 meeting minutes and membership roster were adopted without objection.

Welcome to the following new LMCOC members: Jim Studer, is filling Kent Boden's seat on behalf of KIWC; Roland Chlapowski is taking Kelly Haines place representing the CBO; and Anjanette Banuelos Bolanos is now an alternate for the construction trade unions.

Membership Roster

Members		
Representative Group	Member 1	Member 2
Owner:	Dawn Uchiyama (Chair)	Kathleen Brenes-Morua
Project Contractor:	James Studer	Rajasegaran Ponniah
Construction Trade Unions:	Nathan Stokes	Twauna Hennessee
Employers:	J.W. Matt Hennessee	Molly Washington
CBOs:	Roland Chlapowski	Charles Manigo
Alternates		
Representative Group	Alternate(s) for Member 1	Alternate(s) for Member 2
City	Muriel Gueissaz-Teufel	
Project Contractor	Devanta Black	
Construction Trade Unions	Anjanette Banuelos Bolanos	Melvin Norman, Aaron Strong
Employers		Nathaniel Hartley
CBOs:		

Procedures for Requesting Labor Dispatches

- Contract and CBA Requirements:
 - 22% Minority workforce goal overall
 - 6% Female workforce goal overall
 - 20% overall hours are to be worked by apprentices

- CBA Steps:
 - Employer to submit request to union for journey and apprenticeship workforce
 - Union administers and controls referrals in a non-discriminatory way to meet CBA diversity goals
- KIWC Process:
 - Supervision identifies craft needs
 - Dispatch request submitted to project business manager
 - Business manager submits dispatch request to union halls*
 - Union hall replies with letter of response or dispatch slip and craft employee on specified start date

*Examples of KIWC and Christenson dispatch requests provided in PowerPoint presentation.

Discussion/Questions/Comments: BOLI administrates and monitors each trade in their committee with the goal of reaching a diverse group of individuals. This does not mean they will have women or minorities available immediately. Eric Johanson and other KIWC business managers talk with Nate Stokes and other union reps often; to provide resource forecast so the unions can be prepared for upcoming dispatch requests.

It is important for subcontractors and contractors to make the distinction when submitting a dispatch request to the union that the request is for a City of Portland project with specific participation requirements. It is also important that requests be submitted in writing as that eliminates any confusion or lack of receipt of the dispatch request. If the hall is unable to fulfill a dispatch request, the requestor will receive a response in writing from the hall when the hall receives the request in writing. KIWC retains copies of all dispatches and responses. Dispatch does not indicate if goals were met.

When Local 701 receives a request, they respond with data in their reply.

Q. When KIWC submits a dispatch sheet, and when a person is dispatched, they are sent with a Dispatch Form so that KIWC has a copy. If the hall fulfills the dispatch but do not provide a woman or person of color, how is that documented?

A. Local 701 would not fulfill the dispatch if it cannot meet the requirements.

Q. If the response is "we are not providing a woman or person of color", do they indicate why?

A. At the Operating Engineers, when a contract has a requirement, the hall can pierce the list but if there is no one in the hall that meets the requirements, then there is no one to fill the position. At this point, the hall would provide written follow-up that it cannot fill the position.

Twauna's group assigns reps to call down the list to inquire if those on the list are seeking employment. For contractors who do not have a form similar to KIWCs or Christenson's, the City of Portland (COP) has a form that can be used which does contain a field for the JATC to respond. Note that JATC's have a policy (#9) regarding rules related to piercing the list. It is important to check with the JATCs individually to determine what is allowed by BOLI when piercing the list.

Molly shared that it is her understanding that we would need to know which JATCs do and do not allow piercing of the list which will provide understanding as to which JATC's are following the CBA. If a JATC does not allow the list to be pierced, it is not the contractor's fault if they do not meet the diversity requirements. She believes it important that the LMCOC know the facts for each JATC.

Key group discussion points included:

1. All the unions in the JATCs have different ways of dispatching.

2. The majority of unions can pierce the list, but not all actually do.
3. Unions are to administer and control the process to be fair but this is detached from the 22% participation goal.
4. It is apprenticeships that can pierce the list, not journey level.
5. The ability to pierce the list is individual to the JATC.
6. The City’s requirement is that the contractor must be a registered training agent
7. In some cases, if a person in pre-apprenticeship is available, the contractor can bring individuals in from the pre-apprenticeship to fill the position.
8. The COP encourages contractors to use a COP worker request form. It is tied to the project, and indicates what requirements are tied to journey and apprentice and contains a space to indicate why an individual is not being provided.

Given the complexity of the issue, Lisa will follow up with the project team to discuss developing some type of flow chart that explains the above. Eric will also look for some examples of “cannot provide” forms when the union cannot fulfil the request.

CBWTP STEP CM/GC Reporting

- Project Update

Projects underway include:

- Tie-back installation and S-Tank demolition
- Pipe delivered for 54” Mixed Liquor piping for SECL
- New Liebherr 1500 crane delivered to site
- Excavation in RAPU
- Excavation of SECL 9
- Installation of tie-backs in SOFA

- Community Contracting

STEP Workforce Compliance through 12/31/2022

Total hours worked to date	173,634
Number of Craft to date	444

With Percentages

Minority workforce by hours (Goal: 22%)	64,530	37%
Caucasian workforce by hours	109,389	63%
Women workforce by hours (Goal: 6%)	25,207	15%
Male workforce by hours	148,428	85%
Apprentice workforce by hours (Goal 20%)	39,340	
Minority apprentice	20,296	52%
Caucasian apprentice	19,044	48%
Female apprentice	9,000	22.4%
Male apprentice	31,000	77.6%

- Workforce Ethnicity (Breakdown)

Hispanic	33,614	19%
African American	17,391	10%
Other Non-White	11,069	6%
Native American	1,963	1%
Asian	511	<1%
Caucasian	109,105	63%

- Paid to Date by Certification (See attachment A – list of acronyms):

Total D/M/W/ESB/SDVBE Paid to Date	\$10,462,000
DBE/MBE	\$8,178,345
DBE/MBE/WBE (0.07%)	\$38,601
DBE/WBE	\$1,139,917
SDVBE	\$0
ESB	\$191,691
MBE	\$484,630
WBE	\$528,816

• *Total Contract Value by Certification:*

Total D/M/W/ESB/SDVBE Contracted Value	\$78,956,000
DBE	\$33,882,533
DBE/MBE/WBE	\$1,504,200
DBE/WBE	\$11,283,192
SDVBE	\$59,700
ESB	\$1,346,663
MBE	\$19,013,699
WBE	\$2,113,492

Discussion/Questions/Comments:

Molly wanted to know if there was a way to tell if a DBE is a minority or woman-owned firm? Her request was prompted by determining how many dollars are going to people of color. Adam noted he has worked with Molly on this before and can look at ways to provide this information.

Community Workforce

- Hard construction costs paid to KIWC to date is \$52.6M. Currently KIWC has paid \$10.4M to the COBID market and KIWC is on track with work with NWI to get to \$13.8M on GMP1. See meeting handouts for subcontractor status.

Workforce Improvements

Northwest Infrastructure

Total hours worked to date	11,783	
Number of Craft to date	22	
Minority workforce by hours (Goal: 22%)	7,341	62%
Caucasian workforce by hours	4,442	38%
Women workforce by hours (Goal: 6%)	508	4%
Male workforce by hours	11,275	96%
Apprentice workforce by hours (Goal 20%)	4,195	
Minority apprentice	2,326	55%
Caucasian apprentice	1,869	45%
Female apprentice	0	11.44%
Male apprentice	4,000	88.56%

Glacier Drilling & Dewatering

Total hours worked to date	1,486
Number of Craft to date	17
Minority workforce by hours (Goal: 22%)	636 43%
Caucasian workforce by hours	850 57%
Women workforce by hours (Goal: 6%)	56 4%
Male workforce by hours	1,430 96%
Apprentice workforce by hours (Goal 20%)	140
Minority apprentice	84 60%
Caucasian apprentice	56 40%
Female apprentice	56 40.14%
Male apprentice	84 59.86%

- NWI has hired a female laborer, now full-time on the crew assigned to SECL 9. A decent bump in female hours is expected and they are really doing well in other numbers.
- Glacier Drilling and Dewatering do have more work on site so they have an opportunity to improve their performance. KIWC has suggested they send a crew with both an operator and an apprentice. Glacier needs to abandon dewatering before walls are replaced which will roughly be in April.

STEP Procurements

Upcoming Bid Packages

Scope of Work	Procurement Type
Plumbing	Type 3
AEBA 1-6 Channel Drain Replacement	Type 1

Recently Awarded Contracts

Sub	Procurement Type	Scope of Work
DDJ Construction	Type 1	SECL Under-slab Pipe Welding
Flynn	Type 3	Eco Roofing/Glazing
Pacificmark – COBID	Type 3	Slough Building

How Subcontractors get Connected with STEP

- KIWC has created a dedicated website to provide a general overview of STEP and upcoming scope specific bid packages. The website can be found at <https://www.kiewit.com/business-with-us/opportunities/columbia-boulevard-project>
- Opportunities can also be found through Building Connected at <https://app.buildingconnected.com/create-account>
- KIWC representatives to contact include:
 - Adam Correia e/Adam.Correia@kiewit.com p/971.500.1790
 - Lyle Perry e/Lyle.Perry@kiewit.com p/360.314.3741

COBID Highlights

McDonald Excavating

Total hours worked to date	1,917	
Number of Craft to date	37	
Minority workforce by hours (Goal: 22%)	466	24%
Caucasian workforce by hours	1,452	76%
Women workforce by hours (Goal: 6%)	294	15%
Male workforce by hours	1,623	85%
Apprentice workforce by hours (Goal 20%)	455	
Minority apprentice	141	31%
Caucasian apprentice	315	69%
Female apprentice	294	64.62%
Male apprentice	161	35.38%

Outreach Efforts

KIWC has participated in the following community organization and networking meetings:

OAME	12/08/2022	<ul style="list-style-type: none"> Attended, networked, and provided update on STEP
PBDG	11/16/2022	<ul style="list-style-type: none"> Attended, networked, and provided update on STEP
NAMC	12/15/2022	<ul style="list-style-type: none"> Sponsored fundraiser, networked and provided update on STEP
Latino Built	10/19/2022	<ul style="list-style-type: none"> Attended, networked, and provided update on STEP
OCR Advisory Committee		<ul style="list-style-type: none"> Devanta Black is a committee member

RISE Up Update

Last NWO training held 01/19/2023

- Trained 8 KIWC staff
- Trained 16 KIWC craft

Future Trainings:

- NWO is TBD
- Management (02/15/2023)

Trained-to-Date:

- KIWC: 142 NWO trainings completed, 16 management, 6 Train-the-Trainers
- Subcontractors: 53 NWO trainings completed, 3 management, 2 Train-the-Trainers

Subcontractor Spotlight**Standridge, Inc.**

Guest speaker Laura Standridge explained her firm provides vibration and settlement monitoring for the site during construction.

Standridge is both DBE and WBE certified and employs 7-8 staff, including both office and field personnel; their firm has veterans and minorities on staff. She believes KIWC has been great in being patient with Standridge in determining project needs and how best to deliver and have assisted Standridge through the process. STEP is important to Standridge as the revenue from this contract is funding families and the local population. This is a great program and Laura feels having an oversight committee to ensure COBID participation is being upheld rather than checking a box on a form is fantastic. Standridge feels very integrated into KIWC's team and appreciates the work. Standridge has been working on STEP for the past 1.5 years; anticipates being on site till Q3 2025.

When asked if there were barriers or obstacles Standridge had to work through Laura noted that establishing relationships was an obstacle. They were fortunate that KIWC reached out to a Geotech engineer who recommended Standridge to KIWC. Fortunately, the insurance requirements were manageable.

If Standridge were to give advice on finding more firms like theirs, it would be to go to the COBID website and invite anyone to lunch or a group meeting. Laura gets quite a few invites, but a personal phone call is a great way to create a personable invitation and start the conversation. This would also make the opportunity stand out from the numerous emails she and other small business owners receive being a COBID certified firm. For being a smaller firm bidding big projects, Laura has spent hours upon hours putting together packages for other jurisdictions, it is still tough. She does not have the resume that some other larger COBID firms have so there is still a level of competition. When Laura can, she attends the PPS outreach, OAME, etc. Attendance can be challenging when the principals are still managing work in progress.

KIWC representatives commented that it was nice to find a contractor who was willing to come out and do site walks. Specification sections are thick but during the site walks, KIWC was able to point out the areas of concern and thanked Standridge for their help.

Other Items and Issues:

None at this time.

Outreach Support

No needs identified.

Member Announcements and Updates

Nate Stokes announced Local 701 is opening 15-24 apprenticeships for operators, heavy duty mechanics, and surveyors. If you know of anyone who is interested, please share.

Matt Hennessee announced PBDG is co-sponsoring a flu and COVID -19 vaccine clinic on February 7, 2023 from 10:00 a.m. to 1:00 p.m. Although outdoors, the clinic will be held in a comfortably heated tent. There is security in Dawson Park the night before the session. Services are available to anyone who needs a booster or shot.

Jim Studer appreciated having the subcontractor, Standridge Inc., present at today's meeting to share their experience with KIWC and the project and suggestions going forward. This will help he, Eric, and others in the future to maximize the impact they can have in getting small businesses included in KIWCs projects. Jim is glad to be part of the group.

Molly Washington announced NAMC has a training on Friday, January 27, 2023, on entrepreneurial training systems from 3:30 – 5:00 p.m.

Nathaniel Hartley mentioned he may be following up via Nate via email on the program for apprenticeship.

Rajasegaran Ponniah says Jim is a good member for the team. He has worked with Laura Standridge who is very efficient in responding and timely in her response. Her firm is doing a very good job on STEP. He liked the discussion on getting apprentices and journeymen on the project.

Roland Chlapowski found the presentation he viewed interesting and hopes the PowerPoint will be sent out so the LMCOC can view it in detail. He is working on funding availability of a pre-apprenticeship training and working with providers.

2023 LMCOC meetings will continue to be held the 4th Monday of the month.

Closing Comments

Thanks were extended to everyone for a good meeting.

Meeting adjourned at 3:35 p.m.

Attachment A - List of Acronyms

BES	Bureau of Environmental Services (City of Portland)
BOLI	Bureau of Labor and Industries
CBA	Community Benefits Agreement
CBWTP	Columbia Boulevard Wastewater Treatment Plant
CM	Construction Management
COBID	Certification Office for Business Inclusion and Diversity [Used in describing certification status – as in COBID subcontractor or COBID vendor numbers]
COEP	Community Opportunities and Enhancements Program
COP	City of Portland
DBE	Disadvantaged Business Enterprise
DC	Design Changes
DEQ	Oregon Department of Environmental Quality
D/M/W/ESB	Disadvantaged, Minority, Women, and Emerging Small Business
EPA	U.S. Environmental Protection Agency
ESB	Emerging Small Business
GC	General Contractor
GMP	Guaranteed Maximum Price or Lump Sum
GMP (#)	GMP followed by a number refers to a project key phase/deliverable*GMP1&2 will be combined and noted as “construction” once GMP2 approved
JATC	Joint Apprenticeship and Training Committee
KIWC	Kiewit Infrastructure West Co.
LMCOC	Labor Management Community Oversight Committee
MAO	Mutual Agreement and Order
MAWE	Metropolitan Alliance for Workforce Equity
MB/DE	Minority Business/Disabled Enterprise
MBE	Minority Business Enterprise
MGD	Million gallons per day
MOU	Memorandum of Understanding
NTP	Notice to Proceed
NWO	New Worker Orientation
OAME	Oregon Association of Minority Entrepreneurs

OCIP	Owner Controlled Insurance Program
ODOT	Oregon Department of Transportation
ONAC	Oregon Native American Chamber
OTW	Oregon Tradeswomen
PATP	Pre-Apprenticeship Training Program
POIC	Portland Opportunities industrialization Center
PSU	Portland State University
PYB	Portland Youth Builders
RWEA	Regional Workforce Equity Agreement
STEP	Secondary Treatment Expansion Program
SUB	Subcontractor
WBE	Woman Business Enterprise
WFTH	Workforce Training and Hiring
WWTP	Wastewater Treatment Plant