



MEETING NOTES
Labor-Management Community Oversight Committee (LMCOC)
 Columbia Boulevard Wastewater Treatment Plant STEP
Meeting 39

Monday, February 26, 2024, 1:00 p.m. to 2:30 p.m.

Location: On-Site @ CBWTP and On-line

Attendance

LMCOC Members	Owner:	Dawn Uchiyama
	Contractor:	Rajasegaran Ponniah
	CBO:	Anthony Samperio, Charles Manigo
	Unions:	Nate Stokes
	Employers:	Molly Washington
Alternates	Contractor:	
	Unions:	Aaron Barber-Strong, Anjanette Banuelos Bolanos
	Employers:	Khang Tran, James Faison
Staff	CBO:	Kevin Sabeta, Kelly Haines
	City:	Mac Mahoney, Muriel Gueissaz-Teufel, Paul Suto, Kas Smiley, Ting Lu
	Contractor:	Eric Johanson, Andre' Baugh, Surjendra Bajrachary, Lyle Perry
Facilitation	Team:	Lisa Beutler, Laurie Allen
Other	Guest:	Commissioner Mingus Mapps, Michelle Rodriguez, Jacq Tjaden, Jontae Clardy

Meeting Action Items

#	Item	Owner	Timeframe
1.	Follow Platinum regarding their dispatch request submitted to LiUNA and follow-up with Anjanette	Eric Johanson	Next Meeting

Order of Business

16. Log-in, Roll Call, Establish Quorum

Attendees confirmed by LMCOC Facilitator, a quorum is present.

17. Welcome and Greetings

Chair Dawn Uchiyama Greeted the group and group members self-introduced.

18. Agenda and Action Item Review

Reviewed status of the action items.

#	Item	Owner	Timeframe	Status
1.	Refer workers in search of work to the union halls/JATC	LMCOC	Ongoing	Ongoing
2.	Safety focus topic to be ongoing presentation to LMCOC monthly meetings.	KIWC	Ongoing	Ongoing

#	Item	Owner	Timeframe	Status
3.	Send Lisa Beuter a copy of the Apprenticeship Process presentation.	KIWC	01/2024	Completed
4.	Follow-up with BES and LMCOC regarding attendees at AWRA conference for STEP presentation.	Stantec - LB	Next Meeting	In progress

19. Consent Calendar

The following were adopted without objection:

- January 2024 meeting.
- Member roster - Kathleen Brene-Morua has transferred to another City bureau thus will no longer be a member of the LMCOC. BES will provide a new representative to serve in her place. Anthony Samperio will serve for Work Systems.

Membership Roster – Updated Charter (New Member)

Members		
Representative Group	Member 1	Member 2
Owner:	Dawn Uchiyama (Chair)	Kathleen Brene-Morua
Project Contractor:	James Studer	Rajasegaran Ponniah
Construction Trade Unions:	Nathan Stokes	Twauna Hennessee
Employers:	PBDG (TBD)	Cinna'Mon Williams / Molly Washington
CBOs:	Anthony Samperio	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	Khang Tran	James Faison / Nathaniel Hartley
CBOs:		

20. CBWTP STEP CM/GC Reporting & Safety Moment

Safety Moment:

- KIWC Safety focus: Working at Heights – Lifting and Rigging. There is a lot to deal with on site for STEP. KIWC’s safety and management staff ensure loads are not being flown over workers’ heads. KIWC field staff work with the crane operator to set up zones to keep workers out of the direct area where materials are being mobilized.

a. Community Contracting

- Project Update
Projects underway include:
 - Non-Process – Zavala is performing rebar concrete placement. There will be a total of our placements with the first scheduled for Thursday of this week.
 - SECL 9 – Center pour is the last to go, will be performed this Friday.

- SECL 10 – Anchor bolts are set up, poured and now complete. Pump truck was on site today. Concrete placement in SECL 10 is finished.
 - RAPU – DT is installing structural steel and deck on top; roofing will be next. Rodriguez is working on paintings and coatings.
 - Yard Pipe – Pacific Foundations is installing soldier piles in preparation for the excavation work. ML and RAS pipes are in place.
 - SOFA/SOLO – These projects are scheduled to be up and running by the end of 2025. The contractor is running two shifts currently for the structures work. There is a whole lot of work underway on this structure. Auger cast piles will be complete at the beginning of next week.
 - Boiler – Utilities are being run underground.
 - MASU – This project is almost complete, with fencing, curb, and paving remaining. All temporary gear is gone.
 - Tunnels –Christensen is working on rerouting the electrical components so Platinum can install the racks.
- Total hard construction cost through January 2024 is \$377,428,000 Hard construction costs paid to KIWC are \$186,427,000. COBID 22% of hard construction costs in January 2024 total \$41,014,000. KIWC paid \$31,856,000 to the COBID market. Forecasted total project COBID dollars are \$86,476,000.

CBWTP COBID 6-Months Paid Forecast January 2024 – June 2024

- Based on KIWC's COBID 6-month forecast for the period of January '24 - June '24, 22% of COBID hard construction cost is estimated to be just above \$50M by June 2024 with forecasted COBID dollars coming in just under \$40M.

Discussion/Questions/Comments:

- There are a total of 70 firms, responsible for performing \$76M in work. A lot of these firms have contracts in excess of \$1M, with the firms undertaking larger volumes of work on multiple projects. This is a testament to the COBID firms.
- Overall, the workforce has improved significantly (i.e. FC Thomas, and Platinum are starting to place more women and minorities on STEP. This also means KIWC does not have to carry all the weight. KIWC has almost 50% of the hours but at the same time there are other trades that should participate such as millwrights and pipefitters. McDonald Excavating is a prime example of meeting workforce goals. They have good participation on all of their contracts. It is important for COBID firms to have continuity between projects.
- Platinum submitted a dispatch request last year to LiUNA which could not be filled at the time of the request. They never resubmitted the request again for women, minorities, or an apprentice. Eric Johanson agreed to talk with Platinum and follow-up with Anjanette Banuelos Bolanos.
- Q. Are women of color being tracked separately?
A. Yes. Andre' Baugh will include a slide to reflect the statistics on STEP.
- Pacific-Mark is just getting started so their numbers should go up.

See meeting handouts for subcontractor status.

b. Community Workforce

STEP Workforce Compliance through 01/28/2024

Total hours worked to date	448,046
Number of Craft to date	1,177

- With Percentages*

Minority workforce by hours (Goal: 22%)	154,984	35%
Caucasian workforce by hours	293,062	65%
Women workforce by hours (Goal: 6%)	48,333	11%
Male workforce by hours	399,713	89%
Apprentice workforce by hours (Goal 20%)	85,169	
Minority apprentice	39,308	46%
Caucasian apprentice	45,862	54%
Female apprentice	19,000	22.88%
Male apprentice	66,000	77.12%

- Workforce Ethnicity (Breakdown)*

Hispanic	92,065	21%
African American	26,613	6%
Other Non-White	23,288	5%
Native American	10,429	2%
Asian	2,589	1%
Caucasian	293,062	65%

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

Total D/M/W/ESB/SDVBE Paid to Date	\$31,865,898
DBE/MBE	\$18,845,491
DBE/MBE/WBE	\$1,572,407
DBE/WBE	\$3,387,183
SDVBE	\$64,100
ESB	\$374,962
MBE	\$2,454,901
WBE	\$5,166,854

- Contract Value by Certification:*

Total D/M/W/ESB/SDVBE Planned Value	\$86,475,594
DBE/MBE/WBE	\$1,690,284
DBE/WBE	\$18,729,643
ESB	\$374,629
MBE	\$15,263,623
WBE	\$10,348,889
SDVBE	\$104,550
DBE/MBE	\$39,898,974

Workforce Improvements

Kiewit through 12/23/2023		
Total hours worked to date	263,543	
Number of Craft to date	281	
Minority workforce by hours (Goal: 22%)	87,859	33%
Caucasian workforce by hours	175,684	67%
Women workforce by hours (Goal: 6%)	35,369	13%
Male workforce by hours	228,174	87%
Apprentice workforce by hours (Goal 20%)	43,866	
Minority apprentice	19,655	45%
Caucasian apprentice	24,212	55%
Female apprentice	12,000	27.71%
Male apprentice	32,000	72.29%
Kiewit through 01/27/2024		
Total hours worked to date	273,596	
Number of Craft to date	293	
Minority workforce by hours (Goal: 22%)	90,927	33%
Caucasian workforce by hours	182,669	67%
Women workforce by hours (Goal: 6%)	36,223	13%
Male workforce by hours	237,373	87%
Apprentice workforce by hours (Goal 20%)	45,203	
Minority apprentice	20,145	44%
Caucasian apprentice	25,387	56%
Female apprentice	13,000	28%
Male apprentice	33,000	72%

- KIWC is still adding the following apprentices: 3 Carpenters, 1 Millwrights, 2 Operators, and 1 Laborer. KIWC also lost 7 apprentices, but some have advanced to journey level after 3 years-as Apprentices on STEP.

6. CBWTP STEP Procurements

a. Upcoming Bid Packages

Scope of Work	Procurement Type
Minor Concrete	Type 3
Ring Beam Demo	Type 2
Underground Utilities	

b. Outreach Efforts

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

OAME	01/26/2024, 02/09/2024	Attended and networked with members
NAMC	02/07/2024	Attended virtual general meeting
PBDG	02/21/2024	Attended and networked with members

RISE Up Update

Trained to Date:

- KIWC has completed 216 NWO trainings, 67 Management, and 5 Train-the-Trainers
- Subcontractors/BES have completed 188 NWO trainings, 14 Management, and 2 Train-the-Trainers



Future Trainings:

- Schedule Trainer training next month
- New Worker training to be held in March

How Subcontractors get Connected with STEP

- KIWC has 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:
 - Surjendra Bajrachary e/surjendra.bajrachary@Kiewit.com p/707.951.8787
 - Lyle Perry e/Lyle.Perry@Kiewit.com p/360.314.3741

21. Commissioner Visit

The City and KIWC team offered opening remarks on the LMCOC History and Project Highlights, and the group was introduced. A key takeaway was that it's been really refreshing, as BES is able to achieve the goals which accentuates the community involvement and partnerships and the LMCOC is instrumental in providing support and recommendations as needed.

The Committee was then offered opportunity to share the view of the Benefits, Successes, and Lessons Learned.

Discussion/Questions:

Commissioner Mapps share that he had appreciated the presentation and presented two questions to the LMCOC:

What are some of the challenges you have had with the Program?

What is the model used and how will it be used/captured for future City projects?

Comments:

R. **Anjanette Banuelos Bolanos from LiUna** shared: This project has been very progressive with issues being addressed as they arise. KIWC has been very accommodating and proactive in meeting goals.

Q. What are Commissioner Mapps' goals in ensuring BIPOC [black, Indigenous, and people of color] participation on future projects?

A. The reason the City sets up goals within a project is to create opportunities for those who are not traditionally entered into these projects. The Commissioner is hoping labor management can help figure out where we want to go. Some of the things Commissioner Mapps wants to address include:

- How do we institutionalize the lessons learned?
- What do we do when we face challenges meeting the goals?
- What are the processes?

He has heard how this group works together collaboratively to problem-solve. This was not set up to avoid equity goals. In general, one of the ways to reach the goals is to bring stakeholders together to achieve goals. Mapps does not want to lower project goals simply because it looks challenging. His preference is to accomplish projects with good value for the taxpayer. Part of his homework is to not only listen, but to learn how they can work better.

R. **Nate Stokes with Local 701** shared: Nate has sat on several LMCOCs and was a part of the CBA for the Portland Water Bureau (PWB) while employed by a minority firm. Nate wanted to help make change happen. Being a part of the STEP LMCOC and seeing the goals being met and promoted is really exciting for him. He contributes the STEP CBA's success to the partnership and communications between the City, LMCOC, and KIWC who supports and promotes the workforce participation goals. Without stakeholder buy-in and push, we would not see the change and improved outcomes, but KIWC is a contractor that strives to meet and exceed program goals.

Nate offered the following advice to Commissioner Mapps: First, he asked the question on what to do with potential contractors who have not bought into the program? Communication is paramount. Provided communication is happening and effort to reach goals is evident, it can work. Meeting the goals is part of the project so that is what needs to be done and contractors must be held accountable.

R. **Eric Johanson, Kiewit** commented that KIWC talks with the contractors to provide them with options on how they can achieve the Program workforce goals starting early on and maintains communications with the contractors throughout the project.

R. **Muriel Gueissaz-Teufel, City of Portland** shared that having the owner/client set expectations for cost, schedule, and workforce goals is essential. These all go together and from the beginning of STEP, these were set as absolute expectations.

Discussion

Commissioner Mapps is looking at the region and projects coming down the pipeline, and stated the upcoming work and opportunities to improve the workforce is exciting. PBOT [Portland Bureau of Transportation] is working on a \$7M bridge. The Burnside Bridge retrofit is another multi-million project; the Rose Quarter project is estimated to have a construction value of \$2.5B. Pulling in contractors who have not been in the space is a very high objective. Just these few projects, have an estimated cumulative budget of close to \$11B. The concern is there are not enough minority contractors out there to perform the work and asked the LMCOC their thoughts and recommendations on what he should be doing or what can we do to grow the pool? He noted this would be a pitch point for our region.

R. **Nate Stokes with the Operating Engineers** stated if their members want to start a business that they encourage them to go out there and start it. EX Pro Eagle Construction was an apprentice, pushed to get out early, but finally came to Local 701. Previously when there was a push for minority contracting, there were not a lot of projects in the queue but now the opportunities for minority contractors are wide open. Local 701 is pushing members if they want to go that direction. McDonald Excavating is another example of a very successful minority contractor. Jobs are needed in order for the apprentices to receive the training necessary to be successful. The region's current challenge in placing workers is due to apprentices not being promoted 14 or so years ago.

- R. **Aaron Barber-Strong with Local 48 IBEW** shared: He is on a JATC trust and interview. The IBEW utilizes “call by name” so for everyone called by name, they have to get someone off the book which is really helping the apprenticeship pipeline. A Material Handler only needs to be 18 years old to get on site. This allows the worker to gain experience while creating an opportunity to advance in the apprenticeship journey. Apprentices need to become journey level workers before they can be out there.
- R. **Anthony Samperio from Work Systems** noted: We need to manage regional investment plans and get people into registered pre-apprenticeship programs. He also wanted input from Charles Manigo at POIC. Anthony stated Programs they manage also have strong relationships with the unions represented here. Investments work and gets dollars funded locally back into the hands of workers. More investments into the funding collaborative will help change the outcome of who is doing this work.
- R. **Charle Manigo of POIC** shared: Some of the things CBOs do to help get work is to provide support services through partnering with organizations like Work Systems who serve as main bridge and bring them to the table to speak to the nature of the thing they do and what stakeholders are looking for. All of the goals are mutual which is something that has been pretty tough to talk about historically when speaking about misrepresented communities and communities of color These organizations help build trust between the community and partners involved. Charles is very grateful for the partnership and excited to continue moving forward. Portland City Council then adopted Resolution No. 37329 with an updated Community Benefits Agreement (CBA) model for public improvement contracts with estimated contract values in excess of \$25 million.
- R. **Molly Washington of NAMC** shared: She was involved at the very beginning when she represented the Owner on behalf of the City of Portland Bureau of Environmental Services for STEP. She served as the City Attorney responsible for crafting the CBA based on Resolution No. 37329 with an updated Community Benefits Agreement (CBA) model for public improvement contracts with estimated contract values in excess of \$25 million. Molly appreciates seeing the project come to fruition from conceptualization to implementation; witnessing first-hand how the CBA has worked functionally and if it got there.
- When the proposal process started, contractors were saying they did not know how to incorporate the requirements of a CBA on a project as they had never done this before. The City shared they are in it together and learning too. The people here are prepared and ready to support getting folks into the workforce. As the City considers Community Benefit Agreements for future projects, some question to ask are “*Who’s missing and why?*” There are a number of LMCOCs throughout the region, they are all doing this. The key to the STEP CBA’s success in her mind is connection, staying involved and engaged, bringing people in, asking how they are doing and tracking performance in real time so problems can be identified early on and a course to return to critical path can be established. A way to engage minority businesses is to continue to fund programs to keep firms involved. McDonald Excavation’s involvement is tracked on every single project whether workforce is a requirement or not. This has become McDonald’s company culture and why? To create consistency for their employees in the form of ongoing paychecks, and increased opportunities for apprentices. Rather than have their staff go through repeated layoffs at the close of a project, McDonald would seek out other project sources in order to continue worker engagement. RISEUp also helps to establish a positive and supportive safety culture. At the end of the day, we are here for the people and must keep dialogue open with a focus on folks’ experiences.
- Commissioner Mapps** shared that he loves the outcome thus far for STEP as it exemplifies providing opportunities for our minority and female workforce. He sees this as the future for Portland metro

projects. Commissioner Mapps stated he had a homework assignment: Think about how to go about institutionalizing lessons learned which can be applied in other Bureaus

He then asked the LMCOC, "Is there is anything in particular the group needs from him?"

R. **Andre' Baugh** suggested that to make it institutionalized, the City has got to get people to the table. When Andre' started in the industry, he was the only minority in the room. Pre-apprenticeships never came to the meeting, now they are at the table, receiving funding, and contributing insight on how the contract works. They are hearing about the project years in advance of project start-up which helps them prepare for the upcoming workforce demands and needs. The partnership is there with agencies such as NAMC, Work Systems, the pre-apprenticeships. There are a variety of partnerships who are at some, but not all tables.

There are other big moving projects where the contractor is saying they cannot find anybody which means the contractor is not meeting the workforce goals. It is a different story when the resources are there for the contractor. STEP is one of the few projects that the City started with Molly sitting at the table..... Follow her lead by setting expectations and apply accountability. This is what needs to be kept in the forefront - *What's working, what isn't and at the end of the day, what can we do better, how can we perform better, and who can help?* Make sure everyone is doing the same thing. Goals have been set, sometimes the same Bureau/organizations enforce the goals and sometimes they do not. Andre's advice to the Commissioner is to ensure accountability and make it consistent.

Commissioner Mapps concurred with Andre's recommendation and reiterated the importance of working together and holding each other accountable. The Commissioner gets to work with Dawn Uchiyama and others and together they really are in the business of building the future and optimizing the opportunity to nurture the next generation of local businesses. This effort is fundamentally transforming how wealth and poverty get redistributed. Mapps' focus is on building a healthier, strong, more prosperous future for our City. He promises to come back and visit with the LMCOC again and learn more and committed to providing support in whatever way he can. He will be back soon!

R. **James Faison** shared these thoughts: A major point is most of this requirements areis designed ahead of time. All of the stipulations are put into place to help the contractor but sometimes the contractor cannot meet the criteria. James feels generally speaking the process is a little bit behind as trade unions, NAMC, Work Systems and other should be brought together for a couple of days at the conceptual stage to discuss workforce and equity goals. Securing bonding to perform the work can be a challenge and often times does not work for the small minority contractor.

Commissioner Mapps thanked the LMCOC for sharing their thoughts and concerns and the wisdom to practice forethought by bringing people to the table early and assured the group that this message has been heard loud and clear.

R. **Lisa Beutler, LMCOC Facilitator** commented that the unique thing about this group is how everyone jumps in to help when there is an issue instead of pointing fingers.

R. **Nate Stokes** further added that in order to help institutionalize what's working through lessons learned, contractors are seeing the workforce goals as part of doing the work, especially with the workforce equity agreement. The good news here is it's happening, workforce requirements are becoming the norm and Nate is seeing progression of making this nationalized by keeping the expectations in place for workforce and equity goals and contractors making it happen.

22. 2024 Planning

- The Spring LMCOC meeting will be held on site as an in-person event complete with lunch and a site tour on April 22, 2024.

- Upcoming Combined LMCOC Meetings – The following monthly LMCOC meetings have been combined: May/June, July/August with the latter being scheduled in August.
- Conference Opportunity – Lisa will follow-up with Anthony (Work Systems) and Khang (H Labs). She has also invited a San Francisco entity, SFPUC, to participate as a presenter.

23. Outreach Support

None needed at this time.

24. Member Announcement and Updates

- Molly Washington – NAMC will be holding their in-person general meeting on Wednesday, March 6.
- Kas Smiley – Kathleen Brenes would like to be removed from the LMCOC distribution list. She has resigned from her position with BES and is now with another Bureau.
- Mac Mahoney – Biko Taylor, Chief Procurement Officer for COP, has resigned. His last day will be March 1.
- James Faison– Thanked the group for their participation, greatly appreciated.
- Kelly Haines – Please champion the Regional Workforce Equity Agreement.

25. Next Steps - Next Meeting

There will be no virtual attendance for the April LMCOC meeting. This will be an in-person, on-site meeting.

26. Adjourn

Dawn Uchiyama appreciates everyone's flexibility. It was really tough today between the audio challenges during the meeting and access to the facility due to the train blocking the entrance. Despite the challenges, everyone did an awesome job representing the work being done here. She looks forward to continued conversations about work being based on relationships, not tasks; focusing on how we help one another and build one another up regardless of who is in office and the direction of the City. This work will continue.

Meeting adjourned @ 2:27 p.m.

Attachment A - List of Acronyms

BES	Bureau of Environmental Services (City of Portland)
BOLI	Bureau of Labor and Industries
BIPOC	Black, Indigenous, and People of Color
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 and 2 will be combined and noted as "construction" once GMP2 is 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
NAMC	National Association of Minority Entrepreneurs
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