



# MEETING NOTES

## BES – Secondary Treatment Expansion Program (STEP) CBA Labor Management Community Oversight Committee

Meeting 9  
Monday, April 26, 2021, 1:00 p.m. to 3:00 p.m.  
Web/Phone Meeting

**Session Goals:**

- Provide Overview of Current Progress and Upcoming Activity
- Gain Support for Outreach Efforts
- Review LMCOC Resources

**Handouts:** Agenda, Construction Dashboard, WFTH – GMP-1 Report, 03/22/2021 Meeting Notes

**Attendees**

LMCOC Members	
Owner	Michael Jordan, Chair and BES Director, Kathleen Brenes-Morua, D&C Procurement
Contractor	Rajasegaran “Raja” Ponniah, KIWC Procurement Manager; Devanta Black, Operations Diversity Manager
CBO	Kelly Haines, Worksystems Sr. Project Manager; Bill Kowalczyk, PYB Construction Industry Liaison
Unions	Michael A. Burch, NW Carpenters Community Relations & Outreach; Nathan “Nate” Stokes, IUOE701 Field Representative Supervisor
Employers	
Alternates	Melvin Norman, Oregon Tradeswomen, Alternate for Michael Burch; Twauna Hennessee, NW Carpenters Union, Alternate for Michael Burch, Sheldon Wormly, Alternate for Nathan Stokes
STEP Program Delivery Team	Muriel Gueissaz-Teufel, BES Program Manager; Bill Mariucci, KIWC STEP Principal-in-Charge, Andre’ Baugh, KIWC/Group AGB CBA Plan Development Lead
Counsel	Mac Mahoney and Karen Moynahan
Facilitation Team	Lisa Beutler, Stantec LMCOC Facilitator; Laurie Allen, Stantec/ACMS Deputy Program Controls Manager, Facilitator Assistant
Guests	Debbie Caselton, BES Public Outreach; Amy Jones Neal, PCC Planning & Capital Resources; Madelyn Coe, KIWC Procurement Manager

**Order of Business**

**1.-2. Log-in, Roll Call, Welcome and Greetings, Agenda Review**

- Attendees confirmed by LMCOC Facilitator, no quorum present.
- Review of March 22 Action Items

**3. Action Item Review**

#	ITEM	OWNER	STATUS
1.	Ensure Janet Strahl and Kent Boden are invited to attend the Rise Up training.	Andre’ Baugh	Complete
2.	Connect with Nate Stokes, Michael Burch and the Laborers to schedule a time to walk through the workforce plan that contains the hours and number of people needed for GMP 1 over the next twenty-four months.	Bill Mariucci	In progress

#	ITEM	OWNER	STATUS
3.	Forward Sample of Angela Pack's report that is the basis of Andre' Baugh's report.	Team	Next meeting
4.	Schedule separate meeting to discuss threshold will be held. The purpose of this meeting is to clarify the City's position and threshold amounts.	Karen Moynahan	Complete
5.	Provide link to LMCOC website	Muriel Gueissaz-Teufel	Complete
6.	As appropriate, provide outreach event information to LMCOC members so they can assist with outreach.	Team	Ongoing

#### 4. Consent Calendar

[Updated Charter \(Membership Meeting Notes\)](#)

Deferred to next meeting due to lack of a quorum.

#### 5. CBWTP STEP CM/GC Reporting

Bill Mariucci and Andre' Baugh provided STEP reports (see meeting handouts for a copy of the reports). Following is a summary of the report highlights, responses to questions, and general discussion about the report.

#### Community Contracting Construction Dashboard Review (through 03/31/2021 for GMP-1)

##### Procurement Schedule

- Many of the DBEs are also certified as WBE but only get counted as DBE. When KIWC breaks out WBE/DBE (at approximately 4%), sole COBID firms that are WBE are at 6%.
- KIWC does have many more female-owned firms engaged with STEP but they appear in the dashboard as DBE.
- KIWC hopes to get to 5% WBE participation within the confines as described by Andre'. It may at some point become a question for the COP to weigh in on as to how these dollars can be counted.
- KIWC has a number of WBE firms that are also DBE/MBE but are only being credited on STEP as DBE. The question is if they are truly a WBE-owned firm, when/how do the dollars get allocated?
- D/M/W/SDV/ESB participation through March 2021 is 32.3%
- CBWTP STEP GMP-1 D/M/W/SDV/ESB firms by ethnicity is as follows:
  - Subcontinent Asian-American \$50,000
  - Asian-Pacific \$312,698
  - Hispanic \$252,895
  - Native American \$297,900
  - African American \$12,576,724
  - Caucasian \$530,321
- CBWTP STEP GMP-1 D/M/W/SDV/ESB firm participation by certification is as follows:
  - DBE/MBE @ 31.7%
  - WBE @ 0.6%
  - D/M/W/ESB/SDV @ 0.1%
- CBWTP STEP GMP-1 forecast percentage is 36.7% based on adjusted GMP value of \$43,435,481. D/M/W/SDV/ESB forecast by certification is as follows:
  - \$110,802 D/M/W/ESB/SDV, 0.3%
  - \$477,141, WBE, 1.1%
  - \$13,380,975, DBE/MBE, 30.8%

- \$1,959,000.0. TBD-D/M/W/SDV/ESB, 4.5%

### *Discussion/Questions:*

Q. Kelly Haines feels it would be helpful if the data could be desegregated by the types of certifications; she would really like the data to reflect race and gender. Is there a way, with the intent of the CBA goals, to prioritize the 12% for businesses owned by people of color and then by women; could KIWC create a chart that depicts this? The DBE certification is a federal designation and the MBE/ESB are state level COBID designations. While one firm can hold all three designations, for the intent of the CBA, it would be helpful to break out the 31.7% to reflect women of color who are business owners.

A. The chart shows ethnicity by COBID certification, not by gender. If the firm is African-American owned, that is how the race is represented, not by the COBID certification. Data can be broken out by COBID certification. For ethnicity, race, gender, certification, KIWC can do that too. If DBE, they can break out by race and gender if that is the preference of the LMCOC. It may not be a pie chart but could be a chart by dollars. Andre will work on this and come back with examples to share. He can disaggregate DBE/MBE/WBE by race.

### **CBWTP STEP GMP-1 Construction Workforce Dashboard (based on cumulative construction data from 11/2020 – 03/31/2021)**

- Total project apprenticeship to date is 23%
- Project goal is 20% apprenticeship by trade
- Project minority participation is 37% and total female participation is 16%
- Total workforce hours (journey level) is @ 1,566 hours
- Total workforce hours (apprentice level) is @ 455 hours
- Total Male Workforce by Ethnicity
  - African American 23.4%
  - Non-Caucasian 18.9%
  - Caucasian 58%
  - Hispanic 0%
  - Asian 0%
  - Native American 0%
- Total Female Workforce by Ethnicity
  - African American 0%
  - Native American 0%
  - Caucasian 56%
  - Other-Non White 44%
  - Asian 0%
  - Hispanic 0%

These are very good numbers, and this is a really good start, but KIWC has a long way to go. When looking at journey level women on the project, KIWC is doing really well at 24.7% and minorities at 34.8%. However, women apprentices are barely meeting the 6% target at 6.4%. One apprentice is working all the workforce hours of 94%.

### *Discussion/Questions:*

Q. Bill Kowalczyk. felt these numbers were surprisingly high, understanding they are really early in the process. He noted it was great to have such a large participation by African American contractors and wondered more about why the numbers are so solid.

A. KIWC has a couple of significantly large packages that have been awarded. To spread the opportunities as far as they can, it is also good to have significant value behind them, to take on big chunk of work to grow their business and business resume. KIWC is looking forward to this being a success on the job, the numbers are currently coming from one or two large scopes. KWIC's intent is to spread out the opportunities and bring more African-American owned firms on board.

Q. Please explain what the category of "other, non-white" is?

A. This is the category for two races or more.

## 6. CBWTP STEP Procurements – CBWTP STEP D/M/W/SDV/ESB Participation for GMP-1 (thru 03/31/2021)

### Upcoming Bid Packages

- Total project GMP-1 contract mount – under contract with KIWC \$43,435,481.00
- Project construction subcontracted dollars to date \$18,551,669.90
- Total percentage of project subcontracted dollars to date is 43%
- Total Project DBE/M/W/SDV/ESB Subcontracted Dollars - Goal 22% (\$9,555,806)
  - \$14,020,538.96 / 32.3%
- Total Project DBE/MBE Subcontracted Dollars Goal 12% (\$5,212,258)
  - \$13,784,436.96 / 31.7%
- Total Project WBE Subcontracted Dollars Goal 5% (\$2,171,774)
  - %250,300.00 / 0.6%
- Total Project DMWESB Subcontracted Dollars Goal 5% (\$2,171,774)
  - \$35,802.00 / 0.1%
- Total Project Paid-to-Date
  - Total Project DMWSDVESB Paid to Date - Goal 22% - \$89,750.09 / 0.6%
  - Total Project Subcontracted Paid-to-Date \$89,750.09 / 0.2%
- This is where the dashboard data comes from. Where you see a female DBE, it would also mean they are a WBE.
- These are all firms with contracts on STEP today; almost 70% are certified firms at this point.
- The one firm that has a majority that is African-American is NW Infrastructure.
- KIWC's focus is to get more WBEs involved in the project. Sub-tiers are first tier but there are several sub-sub-tier COBID participants as well.
- One thing to note is there are a lot of trucking firms which is due to the initial work to be performed.
- Christensen Electric has a \$2M contract. They have 115 hours, notes on the page are from Angela Pack and have been included for transparency. These reveal what contractors are being told and hearing, and what Angela Pack is telling KIWC.
- Regarding outreach and diversity for the project, the contractor needs to provide data and report foreman and supervisor hours as these are not part of the calculations for apprenticeship hours.
- Trying to ensure all contractors are reporting workforce accurately. Supervisors are to be reported as such so as to not impact apprenticeship calculations.
- KIWC is doing well on carpenters and operators. They have an operator on site who just got started so the LMCOC will see an increase next month and also have a carpenter on board now. There is only one laborer on the job, will be working 737 apprenticeship as STEP ramps up.
- McDonald is almost 60% complete with their work, no apprentices to date. They are doing well with diversity, have African-American workers but not too many female workers.
- Christensen needs minorities and females. 32% for KIWC and 18% females. McDonald has no females and 26%.
- Platinum just got started. Millwrights have no diversity but do have eight hours of females under millwrights. Overall, if you look at this and calculate 455 hours against the total project hours, STEP is at 17%, apprenticeship, without supervisors is at 23%. If look at ethnicities and some of the other trades, they are not doing as well but as scopes are added, we should see improvement in reporting of ethnicities.

### Discussion/Questions:

Q. Given there are so few hours right now, does KIWC have any ideas about as hours ramp up and more contractors come on board, how do we make sure they are responsive in hiring of ethnicities?

A. It may be appropriate to invite McDonald to attend a LMCOC meeting to describe their strategy to meet the thresholds. The LMCOC should allow them to explain their strategy before it is too late.

On McDonald specifically, KIWC has said in previous meetings, any firm under \$300k that while not required,

workforce goals do apply even if apprenticeship does not. KIWC has talked to McDonald and will talk with them again; and will invite them to a future LMCOC meeting. KIWC will also continue to talk to contractors about meeting workforce training and hiring commitments to achieve Program goals, even when the contract is under the \$300k threshold. KWIC is committed to talk with all contractors over \$100k to meet STEP goals. Andre' has no issues asking Ryan from McDonald to come and address. At 60% complete, the number of hours will be miniscule at best to complete the work. Going forward, we need to talk about continuing to put pressure on. There are a number of contractors below the \$100k level.

### Comments:

Nate Stokes will reach out to McDonald too as they are a signatory contractor under his union despite being at 60% completion. Any hours are better than zero hours in Nate's opinion. Andre' stated there are not a lot of contractors right now that are over the \$300K threshold. There are a number of firms under that may have an opportunity to provide training opportunities and KWIC is obligated to talk with this contractor to discuss training opportunities.

In KIWC bid packages, if they have a procurement and are fully expecting to be under \$300k, KIWC does include a provision where the contractor is strongly encouraged to meet the requirement of apprenticeship participation. KIWC has not turned this into best value criteria but are trying to heighten awareness for under \$300k contracts. They also reinforce workforce diversity regardless of contract value at pre-bid. The reality is all \$100k or \$300k contracts are not the same. This is really a function of how many craft hours are contained in the contracts. Some contracts are heavily weighted with scope when the contractor only has a two or three person crew. If there is a way to focus more on the workforce value of the subcontract rather than just the pure dollar amount, that may help focus away from the one to two-person crew which becomes somewhat more challenging when attempting to bring apprentices on the job. There could be a contract that has significant craft/workforce labor but does not make sense that this contract would not be subject to workforce/apprenticeship provisions as well, sharing for consideration.

Muriel Gueissaz-Teufel acknowledged everyone has brought up very good points. BES needs to check with procurement and Bill Mariucci and Andre' Baugh. On this job, there are a lot of equipment costs that go into the subcontracts.

Kelly Haines indicated Kathleen Brenes-Morua is pulling together a bigger initiative around contracting and CBAs and asked last week that they include the LMCOC in the group. She just learned last week that the City's hiring program, applies anywhere there are 300 or more hours. She feels, the dollar threshold symbolically acknowledges higher public funding which means higher participation and that the scope with equipment burdened costs is a not very balanced reflection of actual work.

Andre' noted different jurisdictions approach this differently, some only use hours as the threshold. He also suggests keeping in mind there are jurisdictions that use both hours and dollars but at the end of the day, if looking at growing a contractor, they have to do workforce. The inability to get apprentices will limit their growth. There is value to provide an incentive to smaller contractors to use apprentices at some level and understand the system while at the same time keeping it from being so burdensome that contractors do not want to bid the project. There are always one or two that try to game system and "game up".

Kathleen noted she was taking notes and listening and has questions for her own team based on the LMCOC conversation. She does not know what can be done for STEP, but moving forward as Kelly mentioned, these are all things to consider so that thresholds are not based on arbitrary contract amounts but rather that they are looking at where the opportunities exist for achieving the results. The idea is that this would be a learning process as well, pioneering some things.

### Outreach Efforts

- KWIC will be attending OAME meetings to share upcoming opportunities for means/methods, equipment, and operations.
- KIWC has purchased OAME Youth face masks for use on site for STEP.
- The intent is that each month KIWC will update the LMCOC on the most recent contract awards:
  - Guard Shack – new COBID firm to COP and to STEP. Will be getting started shortly.
  - Champion – Been doing street sweeping for years, have COBID contract on Columbia.
  - Alpha Carlson – not a COBID firm.

- NewCor – Procurement for steel products.
- RAM – COBID certification pending, hoping they get certification in time for the project.
- Shared photos of asphalt patch at STO 4 &5, on right is O'Neil.
- NW Infrastructure - Interim facilities; installing pipelines.
- O'Neil – STO 4 &5, rehab of existing facilities to relocate plant staff.
  
- KIWC is looking forward to conducting pre-apprenticeship site tours later this year and will be coordinating with Bill Kowalczyk.
- KIWCs Madeline Coe has completed the Train the Trainer through Rise Up.
- Andre' noted O'Neil's work is under pre-construction so they are not captured by the COP at this time which is why the LMCOC does not see them included in KIWC reports. If there is anything else the LMCOC would like to see, please let Madeline know.

#### *Discussion/Questions/Comments:*

Bill Kowalczyk. really appreciates the work being done ahead of the game around working on training and culture on the job site. Michael Burch and Twauna Hennessee were part of a meeting where a few former apprentices dropped out due to lack of good job site culture where certain behavior is understood to be unacceptable and means/methods for workers to have a way to report and get support in problem-resolution. Bill Kowalczyk would like a report on how KIWC is keeping workers safe from hate.

Q. Was NW Infrastructure on part of the pre-con package or is it work that was done after reporting to the LMCOC?

A. NW Infrastructure's effort pertains to preconstruction work.

## **7. Other Items and Issues**

### **Mechanical Procurement Update (GMP-2)**

- Bill Mariucci, thanks to calls to KIWC from the Local 290, had a conversation with them regarding upcoming needs for mechanical, it was a very productive call.
- KIWC -
  - Is currently identifying scopes of work and dollars, proposed to meet with Local 290 to show them the scopes. Local 290 is in the process of aggregating all signatory mechanical subcontractors.
  - They will also discuss non-COBID mechanical subs to have workshop/session to outreach scopes so that they can be thinking about sub-tier opportunities with sub-tier mechanical firms.
  - Will report back with scopes and dollars and feedback received from local mechanical trades on these scopes.
- As the 290 talks to their signatory contractors, it will be important that Joint Apprenticeship Training Committees are aware of the need for this project so that not only are they getting contractors but ensuring they are going to meet workforce requirements. KIWC has the contractor process started and thanks everyone for that.

#### *Discussion/Questions/Comments:*

Regarding the conversation about Rise Up and how the LMCOC can be informed on the well-being of apprentices and journey level workers on the job, Michael Burch has done a lot of this work and indicates no one really knows unless they talk to the apprentices and journey workers either on the job or to those who have left the job for whatever reason.

Michael indicates there are little things that can be done to ensure those who show up arrive to a welcoming environment and are assigned to someone who actually cares about their training. Michael wants to make sure this conversation continues with Bill Mariucci of KIWC. Regarding diversity, carpenters can be brought in, but there needs to be a place to send them. Michael wants to make sure when KWIC starts ramping up around the carpenters, that they have firms in the cue. He believes they will be ready and the sooner they know what the needs are, the better prepared they are to meet the needs. He is committed to helping with diversity.

- Bill Mariucci and Madeline will work to update workforce projections now that they have the GMP-2 scope and next twelve to twenty-four months for GMP-1.

## 8. Outreach Support

### [Website, Handouts, Speakers, Bureau](#)

The website is getting populated, and Lisa Beutler suggests the group should think about what would be helpful if using the website for outreach.

### [Other](#)

Muriel loved the discussion today and wants to talk internally and is looking forward to the projections for GMP-2.

## 9. Member Announcements and Updates

### [LMCOC Check-in:](#)

Group members had no new announcements and were generally please with the direction the effort is going.

## 10. Next Steps, Next Meeting

[The next LMCOC meeting is scheduled for May 24, 2021.](#)

## 11. Adjourn

[Meeting adjourned at 2:33 p.m.](#)