



MEETING NOTES
Labor-Management Community Oversight Committee (LMCOC)
 Columbia Boulevard Wastewater Treatment Plant STEP
Meeting 8
 Monday, March 22, 2021, 1:00 p.m. to 3:00 p.m.

Attendance:

Members	Owner; Michael Jordan, Chair and BES Director
	Contractor: Rajasegaran "Raja" Ponniah, KIWC Procurement Manager
	CBO: Kelly Haines, Worksystems Sr. Project Manager Bill Kowalczyk, PYB Construction Industry Liaison
	Unions: Nathan "Nate" Stokes, IUOE701 Field Representative Supervisor Twauna Hennessee
	Employers: Kenechi Onyeagusi, Executive Director, PBDG
Alternates	Unions: Melvin Norman
	CBO: Charles Manigo
Staff	City: Muriel Gueissaz-Teufel, Angela Pack, Karen Moynahan, Macaen Mahoney
	Contractor: Bill Mariucci, Andre Baugh
Facilitation Team	Lisa Beutler, Laurie Allen

Order of Business**Log-in, Roll Call, Welcome and Greetings, Agenda Review**

Attendees confirmed by LMCOC Facilitator, Quorum Present

Agenda and Action Item Review

Reviewed Status of February 22 Action Items

#	ITEM	OWNER	TIMEFRAME
1.	Ensure Janet Strahl and Kent Boden are invited to attend the Rise Up training being offered in December.	Andre' Baugh	In Progress 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
3.	Forward Sample of Angela Pack's report that is the basis of Andre' Baugh's report.	Team	Next Meeting Complete
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	(Informational) Complete
5.	Provide link to LMCOC website	Muriel Gueissaz-Teufel	Next Meeting Complete
6.	As appropriate, provide outreach event information to LMCOC members so they can assist with outreach.	Team	Ongoing

Comments:

Bill Kowalczyk would like to schedule a job site walk through for Pre-Apprenticeship Training Program (PATP) participants to help them gain a better understanding of the scope of work and employment opportunities. Bill Kowalczyk will work with KIWCs project manager to discuss the details. He would like placement people to feel comfortable and have a feel for STEP; Bill Mariucci will assist with scheduling.

Consent Agenda and Meeting Minutes

- a. Consent agenda moved without objection.
- b. Minutes adopted without objection.

CBWTP STEP CM/GC Reporting

a. Community Contracting –

Construction Dashboard Review: (Through 02/28/2021 for GMP-1)

CBWTP STEP GMP-1 D/M/W/SDV/ESB Ethnicity of D/M/W/SDV/ESB Contracts:

- Subcontinent Asian American: \$50k
- Caucasian: \$364,909
- Native American: \$162,000
- Hispanic: \$252,895
- African American: \$12,311,724

CBWTP STEP GMP-1 Forecast Percentage 36.7%

- D/M/W/ESB/SDVB, \$110,802, 0.3%
 - WBE, \$477,141, 1.1%
 - DBE/MBE, \$13,380,975, 30.8%
 - TBD – D/M/W/SDV/ESB - \$1,959,000, 4.5%
- *Adjusted GMP Value \$43,435,481

- Currently, the D/M/W/SDV/ESB contracted percentage is 30.9% and the CM/GC's goal is to award 22% of total contract dollars to D/M/W/SDV/ESB firms.
- KIWC is still light on WBE participation which was only at ½ percent for February; the goal is 5%.

b. Community Workforce –

Construction Dashboard Review (Through 02/28/2021 for GMP-1)

Total Workforce Hours Journey Level

- Total Hours are 1,898
- Women target is 6%, at 16.3%
- Minority target is 22%, at 29.7%

Total Workforce Hours Apprentice Level

- Total hours are 355
- Women target is 6%, at 0%
- Minority target is 22%, at 100%

Total Male Workforce by Ethnicity

- Caucasian, 59%
- Hispanic, 0%
- Asian, 0%
- Native American, 0%
- African American, 19.4%
- Non-Caucasian, 21.4%

Total Female Workforce by Ethnicity

- Caucasian, 63%
- Hispanic, 0%
- Asian, 0%
- Native American, 0%
- African American, 0%
- Other – Non white, 37%

- Laborers reached 482 hours but no apprenticeship.

- Operators reached 828.5 total hours but no apprenticeship. This is what is holding the apprenticeship numbers down at this time. There are only one or two workers at this time. KIWC is targeting the addition of apprentices in the future as they add more laborers.

CBWTP STEP Procurements

a. Upcoming Bid Packages

- Total GMP-1 contract amount under contract with KIWC is \$43,435,481.00.
- Project construction subcontracted dollars to date is \$18,065,769.90.
- The total project subcontracted dollars to date are 42%
- The total project DBE/M/W/SDV/ESB subcontracted dollars are \$13,400,206.96, 30.9%. The goal is 22% or \$9,555,806.
- Total project DBE/MBE subcontracted dollars is \$13,199,906.96, 30.4%. The goal is 12% or \$5,212,258.
- Total project WBE subcontracted dollars is \$200,300.00, 0.5%. The goal is 5% or \$2,171,774.00.
- The total project D/M/W/ESB subcontracted dollars are 0.00. The goal is 5% or \$2,171,774.
- Total project D/M/W/SDV/ESB paid to date is \$89,750.09, 0.7%. The goal is 22%.
- Total project subcontracted paid to date is \$89,750.09, 0.2%.
- At the 60% level, KIWC will prepare the construction procurement plan, and will cover how KIWC will meet the contracting goals for GMP-2. In the near future, this will be included as an agenda item to present the GMP-2 Construction Procurement Plan.
- McDonald worked a few hours (190.5) but KIWC is not expecting a lot more hours in terms of total participation.
- Overall, for the project, the only apprenticeship hours logged for STEP are for the carpenters at 16%. 19.4% is African American participation and 21.4% is non-Caucasian participation. 41% overall.
- Females: 5.1% non-white participation and 8.7% Caucasian female participation.
- As other contractors coming on board, we will see more diversification for carpenters, laborer's, and operators.

Discussion:

Q. For the NW Infrastructure package, is a percentage of that contract trucking or does it also include excavation? What does the package include?

a. *They have several scopes, providing in chronological order:*

- *Demolition of existing non-process facilities (older, small buildings and trailers on site)*
- *Phase 1 GMP-1 Site Utilities*
- *Trucking – will be handling and loading out all of the spoils for the ground improvement operation as well as secant pile excavation spoils. They are probably going to temp stockpile the spoils rather than loading into trucks. Will be doing trucking as well.*
- *Biggest self-performed scope, a little over year out is excavation of the two clarifiers. They will perform excavation and spoils management of the clarifiers.*
- *Majority of dollars are associated with clarifier excavation and trucking.*

It is essential they bring workforce to the project. Andre has talked with Michael to ensure they have apprentices and will have the right apprentices on the job at the right time. Andre encouraged Nate to follow-up as well.

Outreach Efforts

- KIWC is going public with outreach efforts for STEP. They have presented at NAMAC and are on OAME's agenda as well as Latino Built.
- KIWC has started placing ads in the Daily Journal of Commerce (DJC) for open procurements.
- KIWC has its own website that is almost ready to be published. The text has been approved by KIWC but is not quite live yet. The site will provide details of procurement packages and will be accessible to the public.
- Right now, KIWC has three active procurements, two very small, and one quite large.

- The small procurements include lab testing services – COBID procurement type 1 bid package. It is on the street and bids are due back by the end of March.
- The second bid package is verification coring. This involves taking long deep cores and the scope has been identified as a specialty procurement. There are no COBID firms with this expertise, so this is an open procurement.
- Steel Beams – KIWC is looking at two approaches, the first is fabricated steel procurements, and they are also looking to get material procurement. Either way, this will be handled through off-site fabrication for delivery to the job site. KIWC to compare pricing differences between on site and off site to then bring their findings to the COP for review and discussion.

Discussion:

Q. Are there any issues with contaminated soil on site that KIWC is dealing with?

A. *The COP has done testing in the excavation areas. There have been some concentrations detected however the thought is that once they excavate and proceed to soil mixing, the COP will test again. At this time, they are thinking most of the soils will not be contaminated. This is the best they can state at this point.*

Q. As a matter of curiosity, in a project like this, if contaminated soils become an issue, can that change the scope of work?

A. *There was a very extensive environmental investigation done during pre-bid and there was not a lot of hazardous materials detected. KIWC subs have specialized teams. They will have to wait to see how soils mix in during ground improvement operations. The COP is not expecting heave contamination on site.*

Q. Does KIWC have any issues with outreach, or could they use suggestions or recommendations from the LMCOC at this time?

A. *Bill Mariucci feels it would be good to have pre-apprenticeship programs on site to job walk for familiarity with STEP. For GMP-2, a significant scope of work will be for mechanical work. COBID mechanical planning seems to be a little bit more tricky. KIWC needs to figure out a way to get COBID dollars over to the mechanical side for STEP. This is a significant scope with a limited COBID market. Andre wishes to emphasize to the LMCOC, KIWC needs mechanical firms willing to bid with the idea that they can do this per the CBA and help COBID firms grow in the mechanical area. This is a great opportunity to grow, and for mechanical firms to be competitive in the area for the COP. In LMCOC members networks and organizations, it would be helpful if they can reach out to firms within their circles and encourage them to reach out to Bill Mariucci*

Comments:

- Nate sees this as a hard one to fill. He will reach out to trade partners in the building trades to ask them to reach out and get word out.
- Kelly agrees helping firms in the region to understand expectations of the CBA will be beneficial so that they can grow and achieve the goals and feels the LMCOC can help firms to understand. She needs profiles of firms.
- Kenechi would like to know if there is a snapshot of a firm that is already engaged in this work, that it would be helpful to the LMCOC.
- Andre' shared if a firm is performing industrial HVAC, there's some mechanical but not with big pipe, but more like 1/2 "diameter pipe. HVAC firms brings knowledge and skills, and he realizes these are two different classifications and firms will need different types of workers but at least the firms are in the ballpark.
- There are big firms that graduated out of the program that do mechanical work but small firms that do small plumbing and/or pipe work could graduate to the next level.
- Bill Kowalczyk stated that while the LMCOC is focusing primarily on COBID firms, in a sector that has a history of low diversity, the next best thing is to develop a workforce. Andre' works quite a lot with General Sheet Metal. Are they a sub to bring in a more diverse workforce? Andre' advised they could do this work, whether or not they want to be in the CBA is another question.
- Kellie advised Carol Duncan (at General Sheet Metal, a women-owned firm) is great. She has toured their facility. She knows a lot of diversity starts with material handlers that move into an apprenticeship.

It seems they had decent experience on the courthouse opportunity and suggested it would be good to reach out to them to make sure they are aware of this opportunity.

- Bill Mariucci agreed and confirmed KIWC can reach out to them; KIWC will put together scopes, values, and quantities with level of detail – to help identify firms to match up to scopes.

Other Items or Issues

Lisa Beutler asked if any of this impact the schedule.

A. *In the June/July timeframe (summer), KIWC should be defining scopes and putting together a very definite plan on mechanical scoping for community contracting.*

Lisa Beutler asked if there are other people that should be pulled into the conversation. She gave as an example, the LMCOC can have alternates or invite guest speakers? She wondered if there were other types of resources if all give consideration that would be helpful to this effort.

Comments:

- Kellie: UA290 is a potential step, people from this forum could be proactively reaching out.
- Nate: They are all on board with this, there is certain language in subcontracting and project-labor agreements which they cannot do. Nate noted he is not speaking on their behalf, simply stating his understanding.
- Andre: This opportunity is coming up, and there will be subcontracting opportunities for not only COBID firms but also non-COBID firms.
- Bill Kowalczyk: This is a good opportunity for MAWE to have a conversation on. This is a think-tank to approach how to address any barriers of inequity and support protection of workers.
- Very soon, KIWC will have 60% design discreet numbers and they are doing an estimate as if self-performing. This entails generating craft hours of various trades, not just sub plug numbers. KIWC will have reasonable hours to use as discussion points with 290 and others to ensure they are well aware of what will be required for STEP.
- KIWC subs are required to sign a Letter of Assent. Even if the union does not sign the CBA, subs sign the CBA. KIWC would have an issue if mechanical subs did not sign the Letter of Assent.
- KIWC is looking for referrals and by the Fall, KIWC will be reaching out to look at some of these bids and start talking with potential subs. There is time to discuss meeting goals now rather than waiting till the very end and then be unable to meet the goals.

9. Outreach Support

The link to the COP LMCOC website is <https://www.portland.gov/bes/step/lmcoc>.

10. Member Announcements and Updates

- Bill Kowalczyk is ready to start figuring out how to mobilize placement folks with the pre-apprenticeship training program. This is dynamic opportunity for students to be inspired for the broad scope of range of the trades.
- Nate is excited we have an apprentice onsite for STEP now.
- Kenechi is excited to see who KWIC finds for the mechanical expansion. She will be keeping an eye out and likes the pace of the LMCOC STEP meetings, moves fast.
- Raja shared he has been doing well; he is busy trying to get all of the vendors and subs signed up and contracts executed.
- Muriel added if outreach help is needed she is more than happy to help out. She is willing to help any way she can.

The meeting was adjourned at 2: 20 p.m.

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
DEQ	Oregon Department of Environmental Quality
D/M/W/ESB	Disadvantaged, Minority, Women, and Emerging Small Business
EPA	U.S. Environmental Protection Agency
GC	General Contractor
GMP	Guaranteed Maximum Price or Lump Sum
GMP (#)	GMP followed by a number refers to a project key phase/deliverable
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
OCIP	Owner Controlled Insurance Program
ODOT	Oregon Department of Transportation
PATP	Pre-Apprenticeship Training Program
POIC	Portland Opportunities industrialization Center
PSU	Portland State University
STEP	Secondary Treatment Expansion Program
SUB	Subcontractor
WWTP	Wastewater Treatment Plant