



**MEETING NOTES**  
**BES – Secondary Treatment Expansion Program (STEP) CBA**  
**Labor Management Community Oversight Committee**  
**Meeting 11**

**When:** Monday, June 28, 2021, 1:00 p.m. to 3:00 p.m.

**Location:** On-line

**Session Goals:**

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

**Handouts:** Agenda, Meeting Notes, STEP Construction Dashboard, CM/GC Construction & WFTH Reports

**Attendees**

<b>LMCOC Members</b>	<b>Owner</b>	Michael Jordan, Chair and BES Director
	<b>Contractor</b>	Rajasegaran Ponniah
	<b>CBO</b>	Charles Manigo Kelly Haines
	<b>Unions</b>	Nathan “Nate” Stokes Twauna Hennessee
	<b>Employers</b>	Kenechi Onyeagusi
<b>Alternates</b>	<b>Owner</b>	Muriel Gueissaz-Teufel
	<b>Contractor</b>	Devanta Black
	<b>CBO</b>	
	<b>Unions</b>	Sheldon Wormly, Melvin Norman, Michael Burch
	<b>Employers</b>	
<b>Staff</b>	<b>City</b>	Macaen Mahoney, Angela Pack
	<b>Contractor</b>	Bill Mariucci, Madelyn Coe
<b>Facilitation</b>	<b>Stantec Team</b>	Lisa Beutler, Laurie Allen
<b>Guests</b>		

**Order of Business**

- 1. Log-in, Roll Call, Establish Quorum**
  - Attendees confirmed by LMCOC Facilitator through roll call, quorum present.
- 2. Consent Calendar**
  - Meeting Notes, Corrected meeting notes adopted without objection
  - Updated Charter (New Member), Charter update adapted without objection.
- 3. Action Item Review**

#	Item	Owner	Timeframe	Status
1.	Invite contractors to the LMCOC meeting to discuss their strategy to meet the thresholds	KIWC	As appropriate	Pending

2.	Organize presentation on Rise Up and other anti-hate tactics	KIWC	Next Mtg.	On agenda
3.	Forward sample of Angela Pack's report that is the basis of Andre' Baugh's report.	Team	May	Will be emailed
4.	Prepare additional breakout information on the DBE composition	Andre'	Next Mtg.	On agenda

**4. CBWTP STEP CM/GC Reporting**

**Community Contracting Construction Dashboard Review (through 05/30/2021 for GMP1)**

**Procurement Schedule**

- D/M/W/SDV/ESB participation through May 2021 is 33.9%
- 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 \$347,895
  - Native American \$755,851
  - African American \$12,685,322
  - Caucasian \$582,930
- CBWTP STEP GMP-1 D/M/W/SDV/ESB firm participation by certification is as follows: (checked)
  - DBE/MBE @ 33.3%
  - 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%

**Additional comments:**

- Font typos in Dashboard will be corrected and resubmitted.
- KIWC would like to see contract awards and participation percentage increase.
- KIWC will identify WBE firms which are currently logged as DBE certified.

**Community Workforce**

## Compliance Review

CBWTP STEP GMP-1 Construction Workforce Dashboard (based on cumulative construction data from 11/2020 – 05/30/2021)

- Total project apprenticeship to date is 22%
- Project goal is 20% apprenticeship by trade
- Project minority participation is 26.7%, total female participation is 16.1%, total workforce hours (Journey Level) are 7,807
- 7,807 total workforce hours (Journey Level)
- 2,714 total workforce hours (Apprentice Level)
- Total Male Workforce by Ethnicity
  - African American 7.1%
  - Non-Caucasian 6.0%
  - Caucasian 73%
  - Hispanic 13.6%
  - Asian 0%
  - Native American 0%
- Total Female Workforce by Ethnicity
  - African American 7%
  - Native American 12%
  - Caucasian 52%
  - Other-Non White 29%
  - Asian 0%
  - Hispanic 0%

## Additional Comments

- Women target is not 6% but 9%.

## Discussion/Questions:

Q. In looking at the dashboard regarding, the non-Caucasian category for male workforce and female workforce, is KIWC ensuring subcontractors are not lumping workers in this category and that subs understand how to report accurately?

A. *Subcontractor workers complete a self-identifier form. Madelyn Coe has verified Pacific Islander and “choosing not to identify” both fit into the non-Caucasian category. Some of those who choose to not identify select this category due to previous issues they experienced because of how they identified.*

## 5. CBWTP STEP Procurements – CBWTP STEP D/M/W/SDV/ESB Participation for GMP-1 (thru 05/30/2021)

### Upcoming Bid Packages (Update)

- Total project GMP-1 contract mount – under contract with KIWC \$43,435,481.00
- Project construction subcontracted dollars to date \$20,388,011.40
- Total Project DBE/M/W/SDV/ESB Subcontracted Dollars - Goal 22% (\$9,555,806)
  - \$14,734,696.76 / 33.9%
- Total Project DBE/MBE Subcontracted Dollars Goal 12% (\$5,212,258)



- \$14,447,185.96 / 33.3%
- 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)
- \$37,210.80 / 0.1%
- Total Project Paid-to-Date
- Total Project DMWSDVESB Paid to Date - Goal 22% - \$ 153,435.89 / 1.0%
- Total Project Subcontracted Paid-to-Date \$ 153,435.89 / 0.4%

#### Additional Notes:

- KIWC has eleven subcontracted firms under GMP-1.
- Zavala contract amount and Zana contract amount should be switched.

#### Outreach Efforts

- HDPE Fusion Weld Type1: <\$150,000, July 2021. Only one COBID firm is certified to perform weld and test but they elected to not participate. KIWC has identified two other firms qualified to do the work however they are not COBID certified.

Q. Why did they choose to not participate?

*A. KIWC believes it was due to the safety requirements; There were a lot of concerns with meeting the safety requirements and scheduling conflicts in meeting timeline requirements. KWIC wants to take a closer look at this and talk with Oxbow. KIWC will determine if they can help them reach the compliance requirements for safety and quality.*

Kenechi Onyeagusi knows of a small firm, Complete Fusion and Welding, that may be able to provide support and thereby participate. She will send contact name to KIWC.

#### Discussion/Questions/Comments:

Q. What is the plan to get smaller firms involved?

*A. There are still a few more firms to subcontract with which will increase the percentage. KIWC is continuing outreach efforts, promoting their website, and running advertisements. If anyone has knowledge of a Type 1 Procurement (under \$150k) which can be directed to the COBID market specifically for COBID contracts, KIWC does have the option to engage directly. The sub will need to estimate and submit a bid. Type 1 Procurement was previously discussed during the November 16, 2020 LMCOC meeting - Type 1 is a direct procurement with COBID firm(s), Type 2 is limited meaning multiple COBID firms may bid the work valued between \$150k - \$300k, and Type 3 is open for both COBID and non-certified firms to bid on packages valued in excess of \$300k. Basically through summer and into Fall, KIWC will be in the process of identifying new opportunities and going to market for GMP-2 which will be broader and more diverse in terms of the types of work.*

Q. Question on calculations. With total GMP-1 @ \$43,435,481.00, is KIWC self-performing \$43M? Is the total larger with regard to numerator and denominator?

*A. \$43M is the hard construction cost of GMP-1 and should be the identifier. The goal is to keep reducing the KIWC number.*

*Q. Who is Frank's Excavating? Asking because this is a large dollar amount and matches NW Infrastructure.*

*A. Appears to be an error.*

## 6. Workforce Action on the Ground – Picture Report

Northwest Infrastructure has demolished Storage 1. Ground improvement rigs are set up, and the batch plant is being put in place.

### Rise Up Training:

- Fifty-four KIWC staff and thirty-nine sub staff have participated in the New Worker Orientation.
- Nineteen KIWC staff have completed the management training, three sub staff have also completed this module.
- Three KIWC staff have completed the Train the Trainer module, no sub staff have completed this section to date.
- Tool box talks are pending for both KIWC and subs.
- KIWC would like Kelly Kupcak's input on how often refresher training modules should be completed – annually?
- KIWC is enrolled for OAME's trade show in October which should be in person. Pre-apprenticeship site tours are set for late summer/early fall 2021.
- KIWC activated a website on the BES CBWTP STEP webpage.
- Commitment to Inclusion, Potential Subcontract Opportunities – GMP-2
- KWIC has included an Oregon Covid certification and dedicated email address for interested parties to submit inquiries to regarding STEP.
- KWICs website will be much more specific in the future – values and dates, as well as Type 1, 2, and 3 contracting opportunities.

**Comment:** Kelly Haines, looking at the workforce data for Christensen Electric – there is no participation by females or diversity. Have any conversations been held with them to ensure they provide opportunities to women and people of color?

A. Madelyn Coe has been on site around the work crews and seen women and people of color on site. The data is lagging and KIWC sometimes receives late from tracker.

## 7. Outreach Support

### Ambassadors, Case Studies, Website, Handouts, Speakers Bureau

Kenechi: They have a meeting which Devanta attends. She is thinking about specific goals that KIWC can share such as scopes of work. The Governor's Task Force attends these meetings so the goal is to bring in stellar projects. Kenechi is going to raise STEP to the committee. There is usually an hour-long presentation wherein the presenter(s) walk the committee through the project. It is a really great way for contractors to come in and show why their project is special.

Muriel: BES has a link to the KIWC website on their public webpage for the project and LMCOG. The invitation is always open to visit the site provided coordination and pre-planning is in

place. If anyone needs help from the City, please let her know.

Nate: Being able to have the governor open things up so they can get out and meet in person to do events other than Zoom will go a long way. They are re-evaluating their outreach and looking to go back to previous protocols. One of the things that helps is to be able to take what the LMCOC members hear during the meeting out to share with the trades. Kudos to KIWC, they're doing what a responsible contractor should be doing.

Michael Burch: Like Nate, need to be able to get in front of folks and show them what is going on at the job site; manage the message. They have a team that conducts outreach for carpenters but need more information about when the carpenter portion of work will ramp up. They need more information to better meet the needs.

Twauna: They need to have a meeting with Bill Mariucci and the team.

Bill Mariucci: They will get procurement schedule out to LMCOC members.

Sheldon: As all the contractors keep coming in, how can the unions get the pre-jobs with the new subs that keep coming in?

Kelly: Is it possible to put the CBA on the STEP website? Feels it would be really helpful. Secondly, she really appreciates this process, model, and project. She is so impressed at each meeting with the level of cooperation and outcome. Kelly wants to offer more policy outreach –

Michael Jordan: Kelly's comment is spot on. The City is continually re-evaluating procurement processes particularly around construction.

## 8. Other Items and Issues

- Face Masks – Devanta has them and they are available to the LMCOC members. KIWC partnered with OAME to support the Youth Foundation by purchasing masks. OAME's logo is on the left, KIWC's logo is on the right (Everybody in, Nobody out). Devanta can ship them out tomorrow, LMCOC members asked to send Devanta an email to let him know where to send the masks.
- Alternates – John Jackley has been having scheduling conflicts. The facilitator would like to make sure LMCOC members have alternates to ensure Quorum. The trades have done a fantastic job to ensure representation. If you do not have an alternate, please consider who would be a good alternate.
- STEP Site Visit: There is another trailer on site for meetings, could be utilized for onsite LMCOC meetings.

## 9. Member Announcements and Updates

### LMCOC Check-in:

Kenechi: Invited group members to a July 30, in-person membership meeting. Please RSVP so she can make sure there is enough food.

Nate: Really looking forward to in-person meetings.

Michael Jordan: Nothing except to say thank you to everyone. This group is incredibly dedicated, all here every time. Regardless of distractions, appreciates everyone's contributions.

## 10. Next Steps, Next Meeting

- GMP2 – Contracting Plan and Implementation Status Report (July)
- Next LMCOC meeting will be July 26, 2021

## 11. Adjourn



Meeting adjourned at 2:24 p.m.

---

## List of Acronyms

BES	Bureau of Environmental Services (City of Portland)
CBA	Community Benefits Agreement
CBWTP	Columbia Boulevard Wastewater Treatment Plant
CM	Construction Management
COBID	Certification Office for Business Inclusion and Diversity
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 1/ GMP 2	Guaranteed Maximum Price or Lump Sum Contract, the number refers to project phase
KIWC	Kiewit Infrastructure West Company,
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
OAME	Oregon Association of Minority Entrepreneurs
STEP	Secondary Treatment Expansion Program
SUB	Subcontractor