City of Portland, Oregon

Community Benefits Agreement Pilot Evaluation

Report Appendices May 9, 2016



Appendix I
City of Portland, OR
Community Benefits Agreement Evaluation
Financial Summary

As of April 5, 2016

Outreach & Training		
Constructing Hope	\$157,000,00	Initial Contract - Target 28 People Trained
Oregon Tradeswomen, Inc.		Initial Contract - Target 24 People Trained
Portland Youth Builders		Initial Contract - Target 17 People Trained
Constructing Hope		Summer Trades Outreach PY14
Constructing Hope		Targeted Advertising for Program Outreach
Constructing Hope		Lockdown Targeted Program Outreach
Oregon Tradeswomen, Inc.		Diversity in the Construction Trades Summit
Oregon Tradeswomen, Inc.		Wire-A-Light Outreach Promotion
Total Outreach and Training	\$399,193.00	-
Technical Assistance		
Emerald Cities Collaborative	\$ 17 902 50	CBA Contractor TA Program Management; Report
FM Burch & Associates		Program Coordination and Direct TA
FM Burch & Associates		Program Coordination and Direct TA (Expected)
Grimes & Associates		Technical Assistance Contracts
Mitali & Associates	1	Technical Assistance Contracts
Metropolitan Contractor ImproPtshp		Technical Assistance Contracts
Spellman Group	1	Technical Assistance Contracts
Ala Carte Contractor Support	7 7,087.50	reciffical Assistance Contracts
A2 Fabrication	\$ 2,490.00	CBA TA Capacity Support
Alarm Tracks		CBA TA Capacity Support - ProEst Software
Cody Gray Consulting		Quickboks Training for Contractors
GeoGrade		CBA TA Capacity Support
Kinetic Technology Solutions, Inc.		CBA TA Capacity Support CBA TA Program - Training Vouchers
KLH Kathy Lawrence Cleanup		CBA TA & Capacity Building
MICRO Enterprise Services of Oregon		CBA TA & Capacity Bullding CBA TA Capacity Support
-		CBA TA Capacity Support
Norell Design Northwest Infrastructure		CBA TA Capacity Support CBA TA Capacity Support
Pacificmark Construction		
		CBA TA Capacity Support - ProEst Software
Safe Guard Security	•	CBA TA Capacity Support
Valley Growers Nursery Subtotal		_Contractor TA & Capacity Building
Total Technical Assistance	\$ 51,909.50 \$198,452.80	-
Total Technical Assistance	\$ 190,452.60	-
Compliance	Ć04 F30 00	CDA Description
CAWS (Part of 14% fee)		CBA Program Administration Training & Outreach Contract Administration
Work Systems, Inc. (Part of 14% fee)		5
John Gardner		CBA Report
Carlyn Hood		Interviews and Draft Report Support
Emerald Cities Collaborative		CBA Report (Pending)
Lara Media Strategies		Web Site, Marketing and CBA Report
Oregon Tradeswomen, Inc.		Engagement Strategy with Targeted Trades
Oregon Tradeswomen, Inc.		Green Dot: Targeted Training and Focus Groups
Emerald Cities Collaborative		CBA Compliance Strategies/Dispatch Tool
Portland Youth Builders		CBO Participation
Urban League of Portland		CBO Participation
Constructing Hope		CBO Participation
Oregon Tradeswomen, Inc.		_CBO Participation
Total Compliance	\$172,005.00	-
Grand Total	\$769,650.80]

Appendix II: Stated Objectives of the Community Benefits Agreement

- A. Ensure that public money spent by the Owner (City) benefits its goals of **providing beneficial working conditions** and **increased workforce and contracting diversity** on its construction projects. (Source: Kelly Butte and Interstate CBA Introductory paragraph)
- B. Ensure that **public dollars spent benefit the community that it serves** and **does not indirectly or passively perpetuate discrimination** against or historical under-inclusion of minorities and women and low income people in the construction industry. (Source: Kelly Butte and Interstate CBA Preamble)
- C. Ensure that historically underrepresented racial or ethnic minorities and women are fairly represented in the building and construction trades and are fairly represented in the project's use of contractors and subcontractors. (Source: Kelly Butte and Interstate CBA Preamble; City Council Resolution)
- D. **Facilitate recruitment, retention and promotion** of historically disadvantaged or underrepresented people, including racial and ethnic minorities, women, and low-income people, at the journey-level who are interested in careers in the construction industry. (Source: Kelly Butte and Interstate CBA Article I)
- E. Ensure that the Owner does not indirectly perpetuate the under-inclusion of or discrimination against racial and ethnic minorities and women in the construction industry and trades. (Source: Kelly Butte and Interstate CBA Preamble and Article I)
- F. Ensure that the Owner receives the benefit of a **highly skilled**, **well-trained and diverse workforce** and prime contractor and subcontractor pool **without the disruptions** caused by labor unrest, including strikes, lock-outs, pickets, and other disruptions in the progress of such projects. (Source: Kelly Butte and Interstate CBA Article I; City Council Resolution)
- G. **Facilitate the entry of Veterans** who are interested in careers in the building and construction industry into the building and construction trades. (Source: Kelly Butte and Interstate CBA Article XIV)
- H. Ensure that contractors and subcontractors pay **decent wages and benefits**. (Source: City Council Resolution)
- I. **Maximize apprenticeship opportunities** in the construction trades for women and people of color. (Source: City Council Resolution)
- J. Ensure that employment on City construction projects equitably reflects the diversity of the City of Portland by supporting workforce training programs and duly registered apprenticeship programs. (Source: City Council Resolution)
- K. Provide opportunities for people of color, women and local residents from economically disadvantaged neighborhoods to participate in **pre-apprenticeship and apprenticeship programs**. (Source: City Council Resolution)
- L. Securing the contracting diversity and apprenticeship objectives of this Agreement **should not impose undue administrative burdens** on Owner, or its contractors and subcontractors. (Source: Kelly Butte and Interstate CBA Preamble)
- M. Ensure that the City retains the right to exercise full and exclusive authority for the management of its own operations, remains the sole judge in determining the competency and qualifications of all firms responding to its Request for Proposals at every level, and retains the right to ensure full compliance with all applicable laws. (Source: City Council Resolution)

Sources:

City Council Resolution 36954, adopted 9/5/2012 (Resolution)

Modified CBA Kelly Butte 10-05-2012_3-26-13 FINAL with All Signatures (Kelly Butte CBA) and Modified CBA Interstate 10-05-2012 with edits 3/26/2013 FINAL with All Signatures

Appendix III: CBA Objectives, Programs, and Measures

CBA Objectives	CBA Programs/ Strategies/Requirements	Goals/Outcomes, Performance Measures
		Goals/Outcomes, Performance Measures CBA Goals 18% of total project hours will be completed by minority journey-level workers 9% of total project hours will be completed by female journey-level workers The overall utilization goal for MWDBE/ESB is twenty-two percent (22%) of the Hard Construction costs for the project At least twelve percent (12%) of this overall utilization goal be MWDBE firms 18% of apprenticeship project hours will be performed by minority apprentices 9% of apprenticeship project hours will be performed by women apprentices Program Performance Measures Community Construction Training Program Target = 60 participants; (See specific breakdown by ethnicity.) Number and percentage of participants who achieve a BOLI recognized PATP certificate.
	 Grants or purchases for tools, training, technology, for MWESB/DBE firms. Compliance Fund Programs (1% funds) Engagement Strategy with Targeted Trades Dispatch Tool Web Site, Marketing 	 Number and percentage of participants who successfully enters a Registered Apprenticeship program. Number and percentage of participants who obtain employment in the construction industry. Number and percentage of participants who are retained as an Apprentice through length of the contract.

CBA Objectives	CBA Programs/ Strategies/Requirements	Goals/Outcomes, Performance Measures
	 Contract Requirements: Provide segmented or target work scopes on subcontracts in excess of \$250,000. Create "Opportunity Contracts". Identify subcontracting opportunities that will provide opportunities for MWDBEs to successfully bid, and which would build the capacity of these firms to bid for larger contracts on future projects. Assist with bidding, estimating. (CBA Article XIII, 13.3) Price Efficiency - Negotiate with suppliers to purchase supplies and materials on a project-by-project basis and require Suppliers to make available to all bidders those materials and supplies at the same cost. (CBA Article XIII, 13.5) 	 Technical Assistance Programs (Per RFP) The quality of technical assistance delivery, based on contractor and program feedback. Ability of Advisor Vendor to provide business advising tailored to the needs of the matched M/W/DBE contractor/s, and to adapt the business advising as needs or conditions change. Advisor Vendor successfully identifies additional M/W/DBE Contractor needs and matches to additional services/ resources as needed (such as expert advising, equipment, certifications, licenses etc.). Accurate and timely reporting of M/W/DBE Contractor progress against key measurable outcomes (see below for draft comprehensive list of CBA M/W/DBE Additional staff employed by participating business. Long-term business improvements made by participating business. Capability to sustain growth of participating business. Business capabilities to estimate and bid projects, manage projects, complete necessary reporting, manage accounting, financial management, billing, access capital, obtain bonding. Business understanding of contractor and regulatory requirements, workforce development, and unions. Number of projects obtained because of technical assistance.

CBA Objectives	CBA Programs/ Strategies/Requirements	Goals/Outcomes, Performance Measures
Facilitate recruitment, retention and promotion of historically disadvantaged or underrepresented people, including racial and ethnic minorities, women, and low-income people, at the journey-level who are interested in careers in the construction industry. (D)	Programs: Construction Career Outreach, Recruitment and Referral Services (1% funds) Targeted advertising for program outreach Lockdown targeted program outreach Diversity in the Construction Trades summit "Wire-A-Light" outreach promotion Community Construction Training Program (1% funds) Contracts with three Pre-Apprenticeship Training Programs to recruit and prepare minorities and women for construction apprenticeships Compliance Funds (1% funds) "Green Dot" targeted training and focus groups CBA Strategies (Employer and Union "best efforts") Provide all apprentices referred to the Employer a fair chance to perform successfully, allowing for possible lack of previous experience. Provide on-the-job training. Maintain a harassment-free work place by conducting a pre-ground breaking review using the Wider Opportunities for Women harassment-free workplace check list, and repeating annually.	 CBA Goals: 18% of total project hours will be completed by minority journey-level workers 9% of total project hours will be completed by female journey-level workers 18% of apprenticeship project hours will be performed by minority apprentices 9% of apprenticeship project hours will be performed by women apprentices

CBA Objectives	CBA Programs/ Strategies/Requirements	Goals/Outcomes, Performance Measures
	 Make reasonable attempts to keep apprentices working and train them in all work processes described in the apprenticeship standards. Take steps to reduce feelings of isolation among racial and ethnic minorities and women by making every attempt to have several racial and ethnic minorities and women at the job site and by informing such workers about available support systems. Match minority, female, or disadvantaged apprentices who may need support to complete their apprenticeship programs with a late-term or journey-level mentor. 	
Reduce direct or	Contract Requirements:	CBA Goals:
passive discrimination and indirect under inclusion of racial or ethnic minorities, women, and low income people in the building and construction trades. (B, E, I)	 Provide segmented or target work scopes on subcontracts in excess of \$250,000. Create "Opportunity Contracts". Identify subcontracting opportunities that will provide opportunities for MWDBEs to successfully bid, and which would build the capacity of these firms to bid for larger contracts on future projects. Assist with bidding, estimating. (CBA Article XIII, 13.3) 	 All CBA goals above, plus: At least 10% of employers' workforce shall be hired from areas designated by the Federal Small Business Administration as Historically Underutilized Business Zone ("HUBZone") within the Portland Metropolitan Area.
Ensure that public dollars spent benefit	 Price Efficiency - Negotiate with suppliers to purchase supplies and materials on a project- by-project basis and require Suppliers to make 	

CBA Objectives	CBA Programs/ Strategies/Requirements	Goals/Outcomes, Performance Measures
the community that it serves. (B)	available to all bidders those materials and supplies at the same cost. (CBA Article XIII, 13.5)	
Create a qualified workforce. Increase the level of skills and training of racial or ethnic minorities and women on City projects. (D, F, K)	Programs: Community Construction Training Program (1% funds) Contracts with three Pre-Apprenticeship Training Programs to recruit and prepare minorities and women for construction apprenticeships	 ■ All Employers winning prime contracts of \$200,000 or more and subcontracts of \$100,000 or more shall employ state registered apprentices with an aggregate Project goal of twenty percent (20%) of all covered work hours to be worked by BOLI registered apprentices or federally registered apprentices. (CBA Article X.) ■ 18% of apprenticeship project hours will be performed by minority apprentices ■ 9% of apprenticeship project hours will be performed by women apprentices ■ Program Performance Measures Community Construction Training Program ■ Number and percentage of participants who achieve a BOLI recognized PATP certificate. ■ Number and percentage of participants who successfully enters a Registered Apprenticeship program. ■ Number and percentage of participants who obtain employment in the construction industry. ■ Number and percentage of participants who are retained as an Apprentice through length of the contract.

CBA Objectives	CBA Programs/ Strategies/Requirements	Goals/Outcomes, Performance Measures
Facilitate entry of veterans into building trades. (G)	 CBA Requirements: ■ Use the Center for Military Recruitment, Assessment and Veterans Employment and its "Helmets to Hardhats" program to serve as a resource. ■ Maintain an integrated database of veterans interested in working on Projects. (CBA, Article XIV) 	None identified.
Ensure that contractors and subcontractors pay decent wages and benefits. (H)	CBA Requirements: ■ The minimum wage scale for the duration of the work will be fixed at the current and applicable Prevailing Wage Rate in effect at the time of bid. (CBA Article VIII.)	Prevailing wages. (No other measures identified.)
Maximize apprenticeship opportunities in the construction trades for women and people of color. (I,J,K)	Programs: Construction Career Outreach, Recruitment and Referral Services (1% funds) Targeted advertising for program outreach Lockdown targeted program outreach Diversity in the Construction Trades summit "Wire-A-Light" outreach promotion Community Construction Training Program (1% funds) Contracts with three Pre-Apprenticeship Training Programs to recruit and prepare	 CBA Goals 18% of apprenticeship project hours will be performed by minority apprentices 9% of apprenticeship project hours will be performed by women apprentices Program Performance Measures Community Construction Training Program Target = 60 participants; (See specific breakdown by ethnicity.) Number and percentage of participants who achieve a BOLI recognized PATP certificate.

CBA Objectives	CBA Programs/ Strategies/Requirements	Goals/Outcomes, Performance Measures
	minorities and women for construction apprenticeships. Compliance Fund Programs (1% funds) Engagement Strategy with Targeted Trades Dispatch Tool Web Site, Marketing CBA Requirements: Contractors should use Pre-Apprenticeship Training Programs and Community Based Organizations as a first source for hiring apprentices. (CBA Article X, 10.1.)	 Number and percentage of participants who successfully enters a Registered Apprenticeship program. Number and percentage of participants who obtain employment in the construction industry. Number and percentage of participants who are retained as an Apprentice through length of the contract.
Provide beneficial working conditions (A)	 Strategies (1% funds): Green Dot: Targeted employer and worker training and focus groups. Design to bring awareness to barriers for women on construction sites. 	■ None identified.

CBA Objectives	CBA Programs/ Strategies/Requirements	Goals/Outcomes, Performance Measures
Ensure that historically underrepresented racial or ethnic minorities and women are fairly represented (C)	All strategies.	Aggregate utilization measures for minorities and women only (see above.) No specific ethnic diversity measures of targets identified.
Ensure that employment on City construction projects equitably reflects the diversity of the City of Portland (J)		

Appendix IV: Comparable City Construction Projects Performance Against CBA Goals	CBA Goals	Interstate (CBA Pilot)	Kelly Butte (CBA Pilot)	Mt. Tabor	Balch	Streetcar Loop	SW Moody Ave
					James W.	Stacy &	Stacy &
Prime Contractor		Hoffman	Hoffman	Slayden	Fowler	Witbeck	Witbeck
Total construction costs		\$35,000,000	\$57,250,000	\$23,238,378	\$63,993,997	\$ 108,849,748	\$32,937,013
Project dates		11/6/2012 - 5/16/2016	11/1/2012 - 5/31/2016	11/15/2006 - 6/8/2011	10/1/2008 - 5/31/2012	12/11/2008 - 6/24/2014	12/15/2010- 1/22/2015
Project duration (calendar days)		1,270 days	1,290 days	1,643 days	967 days	1,993 days	1,477 days
Contract type		CM/GC	CM/GC	CM/GC	CM/GC	CM/GC	CM/GC
Total project hours		147,569	227,755	87,928	191,066	444,562	145,612
Total hours to minorities and women		44,982	91,001	14,272	42,463	176,583	59,187
Total subcontracts to MWESB/DBE firms		\$13,075,472	\$12,722,236	\$ 4,281,527	\$12,002,116	\$ 26,207,801	\$10,288,380
Workforce Results							
% of total work hours - minority	18%	25.33%	33.72%	13.11%	20.97%	33.57%	32.14%
% of total work hours - women	9%	9.81%	11.16%	3.90%	3.77%	9.85%	14.23%
% of apprentice work hours - minority	18%	38.10%	50.27%	9.45%	39.56%	53.58%	41.04%
% of apprentice work hours - women	9%	33.72%	28.22%	5.21%	21.79%	20.07%	23.67%
% of journey work hours - minority	18%	21.88%	28.88%	13.98%	17.17%	28.65%	29.82%
% of journey work hours - women	9%	3.37%	6.17%	3.59%	0.08%	7.33%	11.77%
% of covered work hrs filled by registered apprentices (1)	20%	21.22%	22.63%	19.37%	16.99%	19.73%	20.70%
Contracting Results (M/W/DBE/ESB participation)							
% of hard construction costs to M/W/DBE/ESB firms	22%	37.36%	22.22%	18.42%	18.76%	24.08%	31.24%
% of hard construction costs to M/W/DBE firms	12%	33.42%	21.79%	11.17%	14.67%	19.41%	26.26%

⁽¹⁾ Goal for all projects.

 $Source: City\ of\ Portland\ Contract\ Utilization\ and\ Workforce\ Training\ \&\ Hiring\ Reports\ (BizTrak)$

Mt. Tabor M/W/ESB data provided by COP Procurement (not from BizTrak)

	CBA Pilot Projects		Mt. Tabor		Balch		Streetcar Loop		SW N	loody Ave	
Appendix V: Comparable City Construction Projects Performance Against Individual Project Goals	Project Goals	Actual Interstate	Actual Kelly Butte	Project Goals	Actual	Project Goals	Actual	Project Goals	Actual	Project Goals	Actual
-							James W.		Stacy &		Stacy &
Prime Contractor		Hoffman	Hoffman		Slayden		Fowler		Witbeck		Witbeck
Total construction costs		\$35,000,000	\$57,250,000		\$23,238,378		\$63,993,997		\$ 108,849,748		\$32,937,013
Total project hours		147,569	227,755		87,928		191,066		444,562		145,612
Workforce Results											
% of total work hours - minority (1)	18%	25.33%	33.72%					20%	33.57%		
% of total work hours - women (1)	9%	9.81%	11.16%					10%	9.85%		
% of total work hours - minorities and women (2) (4)				20%	16.23%					15%	40.65%
% of apprentice work hours - minority	18%	38.10%	50.27%								
% of apprentice work hours - women	9%	33.72%	28.22%								
% of journey work hours - minority	18%	21.88%	28.88%								
% of journey work hours - women	9%	3.37%	6.17%								
% of total work hrs filled by registered apprentices	20%	21.22%	22.63%	20%	19.37%	20%	16.99%	20%	19.73%	20%	20.70%
Contracting Results (M/W/DBE/ESB participation)											
% of hard construction costs to M/W/DBE/ESB firms	22%	37.36%	22.22%								
% of hard construction costs to M/W/DBE firms	12%	33.42%	21.79%								
% of all subcontracts to M/W/ESB firms				35%	35.65%						
Minimum contracts to M/W/ESB firms (millions)						\$3.4	\$12.0			\$5.0	\$10.3
% of total federal highway and transit funds to DBE firms (3)								16%	18.60%	22%	

⁽¹⁾ Contractor's 20% and 10% aspirational diversity goals for Streetcar Loop were listed in its proposal.

Source: City of Portland Contract Utilization and Workforce Training & Hiring Reports (BizTrak)

Mt. Tabor M/W/ESB data provided by COP Procurement Services

⁽²⁾ Based on unduplicated minority and women hours.

⁽³⁾ Streetcar Loop project received federal money. Goals and DBE performance were reported by Stacy & Whitbek.

⁽⁴⁾ Contractor's 15% aspirational goal for Moody was listed in its Subcontractor and Supplier Outreach plan. Contractor's 20% aspirational goal for Mt. Tabor was listed in its Workforce Plan.

Appendix VI: Best Practices

In its report "Exploring Targeted Hire: An Assessment of Best Practices in the Construction Industry", March 2014, the UCLA Labor Center identified the following practices as most likely to lead to positive outcomes in targeted hire programs:

- Engage all stakeholders and facilitate collaboration. Solicit stakeholder input and participation. Assess and address stakeholder concerns. Facilitate collaboration and partnerships.
- Create inclusive, equitable and realistic targeted hire goals that can be clearly communicated and measured. Research target communities and industry conditions, define targeted workers, establish a clear system to identify and track worker eligibility. Set goals for hours worked rather than number of workers. Set realistic and achievable targeted hire goals. Develop clear policy language.
- Educate stakeholders and communicate goals. Hold a pre-bidding conference and create educational tools for stakeholders. Share targeted hire goals within the public agency. Require an employment hiring plan. Hire a jobs coordinator or provide similar management mechanisms. Engage and educate community partners.
- Develop a strong system for contractor engagement and promote WMBE participation.
 Develop contractor training programs. Provide technical assistance. Create mentorship and networking opportunities between large and small contractors.
- Create partnerships and secure funding to identify and recruit targeted workers. Connect
 outreach and recruitment partners with contractors. Provide recruits with necessary support
 services. Provide funding and resources for outreach and recruitment.
- Invest in pre-apprenticeship training programs. Facilitate networking opportunities for pre-apprenticeship programs and key stakeholders, dedicate funding for pre-apprenticeship programs, and develop direct entry agreements or similar provisions to place pre-apprenticeship graduates on apprenticeships and jobsites.
- Support registered apprenticeship programs. Set apprentice utilization goals. Incentivize the
 retention of apprentices in their 2nd through 5th years of apprenticeship. Promote contractor's
 engagement with apprentices.



CITY OF PORTLAND

OFFICE OF MANAGEMENT AND FINANCE

Charlie Hales, Mayor Fred Miller, Chief Administrative Officer

1120 SW Fifth Ave., Suite 1250 Portland, Oregon 97204-1912 (503) 823-5288 FAX (503) 823-5384 TTY (503) 823-6868

Exhibit A2

May 9, 2016

To Whom It May Concern:

When Council approved the modified Community Benefit Agreements (CBAs) for two Water Bureau projects, they asked that a review of the projects be done upon their completion. That review is attached and will be discussed with the Water Bureau reports on the projects in June.

As with all pilot projects, there are lessons to be learned. The proposal for allocating 1% of hard construction costs to Community Opportunities and Enhancements for the Portland Building will benefit from the experiences of these CBAs as well as Parks' Community Benefit Plans.

Looking towards the future, I am confident we will reach our aggressive diversity goals on the Portland Building Reconstruction project with our Equity and Inclusion Plan. The 1% for Community Opportunities and Enhancements will also assist in this effort.

Sincerely,

Fred Miller

tui million

Chief Administrative Officer