



## CITY OF PORTLAND

### Fair Contracting Forum

Thursday, April 23, 2015

10:00 a.m. to 11:30 a.m.

City Hall, 3rd Floor, Rose Room  
1221 SW 4th Ave., Portland, Oregon

**Connie Ashbrook**  
*Oregon Tradeswomen, Inc.*

**James Posey**  
*NAMCO*

**Jonath Colon**  
*Hispanic Metropolitan Chamber of Commerce*

**Melinda Dailey**  
*NWUCA*

**Herb Fricke**  
*Oregon Native American Chamber of Commerce*

**Jorge Guerra**  
*Oregon Association of Minority Entrepreneurs*

**Lauren Holmes**  
*Nat'l Association of Women in Construction*

**Pat Daniels**  
*Constructing HOPE*

**Mark Matthews**  
*Pacificmark Construction*

**Willy Myers**  
*Columbia Pacific Building Trades council*

**Betsy Pratt**  
*League of Women Voters*

**Sarah Coghill**  
*AGC Columbia Chapter*

**Alando Simpson**  
*Small Business Advisory Council*

**Valerie J. Solorzano**  
*Chick of All Trades, LLC.*

**Shirlene Warnock**  
*Innovative Growth Solutions*

**Laura Becker**  
*Venture Portland*

**H.Q. LA**  
*Pacific Asian Chamber of Commerce*

**Wade Freitag**  
*Oregon Remodelers Association*

After member networking and refreshments, Christine opened the meeting by thanking attendees for being here. She announced a change in the agenda, Bryant Enge will be speaking first, followed by member introductions and announcements.

### Commission on Equitable Contracting

Bryant Enge, Bureau Director of Bureau of Internal Business Services gave a brief introduction and handed out copies of Ordinance No.187030. He went over the background on how the Commission came to be and that it will be called Equitable Contracting and Purchasing Commission (Commission.) He talked about its' purpose and how it will be setup. Bryant was very clear the Commission's purpose is to simply act as an additional effort in support of the City's social equity contracting initiatives. He added he expects to work very closely with Procurement Services along with other the city bureaus to utilize them in terms of developing information to take back to the Commission.

Bryant suggested that moving forward the new Commission is interested in setting benchmarks and working with Procurement and other bureaus to set those benchmarks. He indicated that if there are areas where adjustments can be made the Commission will make those sort of recommendations to council. Further, they will be developing a matrix and reports that can be put online for public viewing. He found a New York City 2011 report on the internet. He referred to it as an example of what the City can do in terms of performance reporting in the areas of minority and women contracting. Bryant added they are looking into developing reporting structures, with the City's SAP and other reporting systems. He suggested the Commission could make a call to council in terms of getting some additional resources to perhaps buy a new reporting system.

Bryant suggested that there are some other things they are looking at such as how compliance is working. He noted that Commission member Michael Birch is from the trades unions. Bryant suggested they will work with Michael and others on what initiatives they have underway to increase minority and women in the trades and how to keep them in the trades. He indicated that is parallel to some of the efforts in terms of Black Male Achievement and that there is a nexus between the Black Male Achievement and what they are doing with this Commission. Next, Bryant asked for questions.

Nat McCoy asked if Michael Birch is on the committee and it is public else? Bryant read off the names from a list and he provided some background on each member. He continued adding that the Commission meets once a month

and his first effort will be to provide them information on what the City is currently doing and try to use that as a benchmark. Bryant plans to meet with Procurement and bureaus to gather information on what steps they are currently taking and report that information back to the Commission. He suggested that because of the Commission members having such intimate knowledge of the industry they can assess how well they think the City is doing, in terms of the efforts being made. Bryant will filter their recommendations back to the FCF.

Connie Ashbrook asked if there will be opportunities to address the Commission if we have particular requests or information. Bryant said that it is an “open body” and he asked City Attorney Lisa Gramp to explain. Lisa responded that the Commission is subject to public meeting law so the meetings are open to the public and advertised. Bryant announced that the members are being appointed May 6<sup>th</sup> by council and that their service time is for 2-years. Tiffani Pension suggested that the Commission is not representative of all ethnicities and that the composition is highly weighted with black males with no Asian or Native Americans. Bryant responded that the onus will be on him to meet with those groups that are not represented and bring their information back to the Commission.

Bryant explained that he will be sending information from the Commission to Christine who will then send it out to FCF members. He wanted to make it clear that the Commission is advisory, execution and process driven. They will not be setting targets or goals, they have no power to implement and are advisory only. Bryant serves as the Commission Chair and liaison to council and as such he will be reporting the Commissions suggestions to council. Christine thanked Bryant and went on to the next agenda item.

### **Member Introductions and Announcements**

Christine recognized the outstanding attendance of the FCF members. She thanked all of them for taking the time to attend and hopes that they enjoy the agenda. She asked City staff to talk about what they are working on and organizations to give updates on what they are doing. Some introduction highlights below:

- Connie Ashbrook, Director of Oregon Tradeswomen Inc. announced that the building girls work crew for women 17 to 24 we have a chance to build things for the community. Coming up is the 23<sup>rd</sup> Annual Women in Trades Fair, May 6<sup>th</sup> from 10AM to 3PM at the NECA-IBEW Electrical Training Center on Airport Way in Portland. She asked the FCF members to help distribute posters and handbills. Next, she added that they have a class of pre-apprenticeship women starting up next week on Tuesday but, they are currently recruiting now for the July class.
- Pat Daniels with Constructing Hope pre-apprenticeship training program announced that they have a youth summer camp July 7<sup>th</sup> and that they are taking applications for youth 16-24 years of age.
- Shirlene Warnock from Innovative Growth Solutions (IGS) suggested that because their firm doesn't have anything to do with construction the forum may not know what they do. Shirlene gave a brief history and an overview of the IGS staff and information about the organization development firm.

- Steve Townsen, Chief Engineer for Transportation, announced that their biggest project is for LED Conversion. The city currently has 44,000 streetlights throughout its area. They have already installed 15,000 and by July first Portland will save about 100,000 in savings per month in electrical charges.
- Wade Freitag from the Oregon Remodelers Association shared what his organization does and Christine welcomed him and told him the Mayor specifically asked for his organization be part of the FCF.
- Herb Fricke, Oregon Native American Chamber of Commerce announced they have a new board and one new member is Procurement Services Tiffani Penson. He also announced that they have a Spring Mixer on June 4<sup>th</sup>.
- Melinda Daily, Director of Northwest Utility Contractors conveyed they are looking to diversify their membership opportunities and subcontracting opportunities for minorities and women owned firms and is looking for suggestions along those lines.
- Jonath Colon from the Hispanic Chamber of Commerce, announced that May 1<sup>st</sup> is their annual Scholarship Awards Luncheon with approximately \$180K in scholarships being awarded. Their Annual Membership luncheon - Employment & Business Fair is June 30th at the Oregon Convention Center.
- Willie Myers with the Columbia Pacific Building Trades Council) described how he represents 15 thousand of its members that are from all different crafts and fields.
- Nat McCoy is a Senior Construction Manager with Portland Housing Bureau. His current focus is on the Mayor and City Council's affordable housing and the 20 million they have to spend in that area. He has been conducting a series of community engagement events, including meet and greet functions.
- Tiffani Penson serves as Minority Evaluators Program & Supplier Diversity Officer for Procurement Services. She shared that Procurement co-sponsored along with other bureaus to become Platinum Sponsors of this years' Women's in Trades Fair.
- Jorge Guerra President of OAME announced that they have 500k available for short-term and other loans. Also, the upcoming OAME Tradeshow is May 7, 2015.

### **Legislative Updates**

Brian Smith, Purchasing Manager from Multnomah County indicated that he is tracking 40 Bills or those 23 are still alive, Today he highlighted 8 Bills that cover 4 areas of vendor responsibility requirements.

1. Senate Bill 491A: This bill says any Bidder must have an unexpired certificate that shows they have completed DAS training in discrimination, wage payments and compensation. If this bill goes through vendors will be required to complete wage discrimination training and have DAS certificate.
2. Senate Bill 675: There currently is a requirement that vendors must "sign an affidavit" that they have paid their taxes to state and local jurisdictions. Bill 675 will remove the affidavit requirement. Vendors will still need to provide proof their taxes are paid.
3. Senate Bill 809: This bill would require BOLI to adopt a minimum threshold requirement for apprenticeship utilization for public works contracts of \$5,000,000.00 or more. It would require public contract bidders to

- demonstrate responsibility by employing apprentices for 10% of the contract hours during the previous calendar year.
4. House Bill 2916: This bill creates a state apprenticeship education and training fund. It has a built in mechanism where it be paid into by public agencies from dollars for public improvement projects over \$1,000,000.00. For every million spent on a project \$500 would go into the fund.
  5. House Bill 2917: Requires General Contractor to only award to responsible subcontractors.
  6. Senate Bill 2716A: Requires MWESB to maintain their state MWESB certification and not letting it expire during period of performance and through the duration of a contract. This would be a material condition of the contract. So, if the certificate expires during the project the MWESB would be in breach of contract. Generals would be required to apply this to their subs contracts and police their MWESB subs certifications. Soon, there will be a Public Hearing on 2716A.
  7. House Bill 3303A: This creates a Service Disabled Veteran as a DBE certification and it changes the name of the Office of Minority Women and Emerging Small Businesses (OMWESB) to the Office of Economic and Business Equity (OEBE).
  8. Senate Bill 584: Would direct public agencies to suspend the right of MWESBs to bid or participate in public contracts if they exhibit a pattern of failing to perform a commercially useful function on a public contract.

*There was a request for Brian's report and Christine agreed to get a copy of it out to members that day.*

### **Project Spotlight: Bureau of Environmental Services (BES)**

Scott Gibson Engineer for BES Design Service Division and Andi Gresh, BES Outreach, came today to spotlight the BES "Large-Scale Sewer Rehab Program." Scott gave some background on the program and indicated that it is a 10-year program and that they are in the fifth year of the program. So far, 18 projects have been completed with another 16 underway. The work, he said, is primarily pipeline construction, some work on old pipes and spot repairs, also, lateral and manhole lining or reconstruction. Next Scott read off the list of secondary activities (included in the handout.) There are five projects listed on the handouts that should be bidding between now and December 2015. The five projects are worth around \$30,000,000.00.

Scott said that as far as Architect Engineering (AE) consulting services contracts a 2014 solicitation went out for those, so they have AE taking care of for the next two-years. He indicated that there will be another procurement coming out after that. He shared some percentages as far as MWESB participation in those contracts. He asked everyone look at the handout of the map so people could see what work will be done in their neighborhood.

Andi Gresh talked about her role at BES doing outreach around contracting opportunities for the bureau and in the last couple of years there was a little more focused on the PTE side with several design contracts going out. They had around 30% MWESB participation for PTE contracts. Andi was approached by Scott to do outreach on the Sewer Rehab Program. She looked at all of the

typical outreach options and talked with people in the industry. It was determined they would host a Sewer Rehabilitation Program Contracting Forum. The Forum would give subs a chance to talk to the primes who bid on the projects. Subcontracting on the projects include asphalt paving, concrete cutting, drilling/boring, trucking hauling, sewer/water and storm drain work. The goal of the forum was to help increase the utilization of MBE and WBE firms and to bolster the connections between primes and subs in advance of future Sewer Rehab bid announcements. Andi suggested they don't have a firm date set for the forum to meet and she handed out a draft invitation that would go out to generals and subs to participate in the event.

Christine commented on their outreach event and noted that Nat McCoy has been doing a lot of outreach in the past couple of years and has been very successful. She acknowledged that it is more work upfront but it pays off. Christine encouraged them to continue doing this sort of outreach for all the projects.

Nate asked about the data and what the "Other" means on the report and Scott said it was for the uncertified firms.

Christine suggested that BES partner with some of the people and organizations at the table.

### **Wrap Up**

Christine thanked everyone for attending and that we will see you all next quarter.

***July Meeting Canceled***

***Next Meeting***

***August 27, 2015***

***10:00 to 11:30 a.m., Portland City Hall***

***3<sup>rd</sup> Floor - Rose Room***