

**COMMUNITY EQUITY AND INCLUSION PARTNERSHIP AGREEMENT
("Partnership Agreement")**

The City of Portland, community-based member organizations, contracting trade organizations, building trades (both union and non-union) and training/workforce pipeline providers, as signatories to this agreement ("Parties"), commit to supporting the social equity components for construction contracts subject to the Community Equity and Inclusion Plan ("CEIP").

The Parties recognize the importance of tracking achievement of diversity goals and reporting on compliance with diversity goals and Equity Efforts set forth in the CEIP for these contracts. Diversity goals include those goals set forth in Sections 2 and 3 of this Partnership Agreement. The Parties are committed to cooperating and communicating with each other to achieve the City's diversity goals on these contracts and will support and work to achieve the diversification of contractors, suppliers, and workers in construction.

In order to further these efforts, the Parties support the following four components included in this Partnership Agreement:

- I. **Community Apprenticeship Requirements** – a set of requirements for participation of apprentices on all construction contracts subject to the CEIP, consistent with City contracting requirements for all construction contracts
- II. **Community Workforce Recruitment and Retention Goals** – a set of standard aspirational goals for women and minority workforce participation on all construction contracts subject to the CEIP, updated on an annual basis
- III. **Subcontracting Goals** – a set of standard aspirational goals for D/M/W/ESB participation on all construction contracts subject to the CEIP, updated on an annual basis
- IV. **Community Equity and Inclusion Committee** – a standing committee (or committees) to review and support the work of the City and Contractors to achieve equity goals

Each of these is further described in the following pages.

I. COMMUNITY APPRENTICESHIP REQUIREMENTS

The Parties recognize the need to maintain continuing support of programs designed to develop adequate numbers of competent workers in the construction industry. The Parties agree that effort is needed to facilitate the entry of historically disadvantaged or underrepresented people, including racial and ethnic minorities, women, and low-income people, who are interested in careers in the construction industry. The Parties support the goal of increasing apprenticeship opportunities on public projects and ensuring successful completion and retention of workers in the trades.

For City construction contracts subject to a Community Equity and Inclusion Plan, the requirements for community apprenticeship opportunities shall be as follows.

Community Apprenticeship Requirements

For contracts (including Contractor and Subcontractors) in any tier of \$100,000 or more, twenty percent (20%) labor hours in each apprenticeable trade shall be worked by apprentices enrolled in a state-approved or federally-approved apprenticeship program during all of the hours worked on the Project.

Apprenticeable trades shall include only those that are state or federally-certified. It shall not include the following trades or classifications: flag person, timekeeper, office engineer, estimator, bookkeeper, clerk/typist, or secretary. Such trades are exempt from this requirement.

II. COMMUNITY WORKFORCE RECRUITMENT AND RETENTION GOALS

The Parties recognize the need to facilitate the recruitment, retention, and promotion of historically disadvantaged or underrepresented people, including racial and ethnic minorities, and women who are interested in careers in the construction industry.

For City construction contracts subject to a Community Equity and Inclusion Plan, the aspirational goals for community workforce recruitment and retention shall be as follows.

Community Workforce Goals

For contracts at any tier of \$100,000 or more, the aspirational goals for workforce diversity as set forth below shall apply.

- A. Apprentices: The aspirational workforce diversity goals for minority and women apprentice workers shall be thirty-one percent (31%) of total apprenticeable labor hours by trade, which shall be disaggregated as follows:
 - 1. Twenty-two percent (22%) of total apprentice hours by trade shall be worked by minority apprentices; and
 - 2. Nine percent (9%) of total apprentice hours by trade shall be worked by women apprentices.

- B. Journey Level: The aspirational workforce diversity goals for minority and women journey level workers shall be twenty-eight percent (28%) of total journey level hours, which shall be disaggregated as follows:
 - 1. Twenty-two percent (22%) of total journey level hours by trade shall be worked by minority journey level workers; and
 - 2. Six percent (6%) of total journey level hours by trade shall be worked by women journey level workers.

The Parties support allowing for and encouraging workforce providers to prioritize the placement of women and minorities to meet these community workforce goals, and will make efforts to assist the Contractor in achieving these goals.

III. SUBCONTRACTING GOALS

The Parties recognize that one of the barriers to entry for many Disadvantaged Business Enterprise, Minority-Owned Business, Women-Owned Business and Emerging Small Businesses (“D/M/W/ESB”) is that D/M/W/ESB firms are afforded fewer opportunities to contract with non-D/M/W/ESB prime contracting firms on commercial construction contracts of the type generally contracted for by the City of Portland. Historical disparity has adversely impacted opportunities for disadvantaged, minority-owned and women-owned firms in the construction industry.

For City construction contracts subject to a Community Equity and Inclusion Plan, the aspirational goals for D/M/W/ESB participation shall be as follows:

Subcontracting Goals

For all work performed on Projects subject to CEIPs, the aspirational base-line utilization goal for firms that have been certified by the State of Oregon as a Disadvantaged Business Enterprise, Minority-Owned Business, a Women-Owned Business, or an Emerging Small Business (“D/M/W/ESB”) is twenty-two percent (22%) of the Hard Construction Costs for the Project, which shall be disaggregated as follows:

- A. Twelve percent (12%) minimum aspirational goal for firms certified as Disadvantaged Business Enterprises (“DBE”) or Minority-Owned Business Enterprises (“MBE”);
- B. Five percent (5%) minimum aspirational goal for firms certified as Women-Owned Business Enterprises (“WBE”); and
- C. The remaining percentage may be any combination of Disadvantaged Business Enterprises, Minority-Owned Businesses, Women-Owned Businesses, or Emerging Small Businesses.

The Parties support these subcontracting goals and will make efforts to assist the Contractor in achieving these goals.

IV. COMMUNITY EQUITY AND INCLUSION COMMITTEE

In order to help achieve diversity goals and review compliance, the Community Equity and Inclusion Committee (“CEIC”) is established as a review body and resource for the City and its Contractors and the broader community. The Contractor and Subcontractors for each project subject to the CEIP are responsible for achieving the Equity Efforts as set forth in the CEIP and for ensuring compliance with the requirements of the CEIP. The CEIC will assist the Contractor and Subcontractors to achieve the goals herein, and will review compliance and Equity Efforts.

The CEIC shall:

- Review the performance of City projects subject to the Plan;
- Report on a quarterly basis on whether projects are achieving goals;
- Provide guidance and advice to Contractors on achieving diversity goals, providing assistance in real time in order to help Contractors increase utilization of D/M/W/ESB firms and minority and female workforce on City projects;
- Provide guidance on outreach and engagement of Subcontractors;
- Provide guidance on outreach and engagement of workers, including helping with securing apprentices;
- Facilitate connections to and among Contractor, Subcontractors, unions, non-union organizations, pre-apprenticeship training programs, community organizations, and workers;
- Advise Procurement Services and the bureaus on whether Contractors are meeting the Equity Efforts in the Plan;
- Advise annually on any modifications to standard requirements and goals contained in this agreement;
- Advise on any requests for project-specific exemptions or modifications to the goals contained in this agreement;
- Provide recommendations to the City on potential uses of Community Opportunity and Enhancement Funds.

The City of Portland as Owner is responsible for enforcing the terms of CEIPs and Contracts. The CEIC provides advice, guidance, and input to the City and project managers (“Owner”) and to Contractors subject to CEIPs.

Composition of the CEIC

The CEIC shall be composed of individuals representative of the following groups.

- Community Member Organizations
- Contractors (including at least one DMWBE firm and at least one non-DMWESB firm)
- Contracting trade associations (including at least one minority contracting trade association)
- Building Trades (both union and non-union)
- Training/Pipeline Providers (pre-apprenticeship and apprenticeship programs)

Collectively the CEIC should have generalized or specific knowledge of workforce and subcontractor market availability, union and non-union resources, community interests and needs.

Selection of CEIC Members

The Chief Administrative Officer, the Director of the Office of Equity and Human Rights, and a Bureau Director representing one of the major infrastructure bureaus (Water, Parks, BES, or PBOT), will solicit applications and recommendations for members and will appoint members, with the committee including a balance of members from the groups described above.

Size of CEIC

The CEIC may have between nine and fifteen members at any one time with only one person as an official representative of any one organization. The group may split into different sub-committees to consider projects, in order to best use the time of members, address capacity issues (with multiple ongoing projects), and/or avoid potential conflicts of interest for particular members.

Reporting Relationship

The CEIC provides advice and guidance to the Owner (bureau directors and project managers) and the Contractor for construction contracts covered by CEIPs and to the Chief Procurement Officer.

Advisory Role

The CEIC is not a “decision-making” body, but rather an advisory body. The body is not required to vote on recommendations, but rather discusses matters, and individually or collectively, provides advice and guidance.

Staff Support

The CEIC receives staff support from the Procurement Services Division of the Bureau of Revenue and Financial Services.

Conflicts of Interest

All members of the CEIC shall complete Conflict of Interest/Non-Disclosure forms each year they serve as volunteers on the committee. Members will recuse themselves from participating in reviewing and advising on projects that they are involved in which could or would result in financial benefit or detriment to that member, a relative of the member, or a business with which either is associated.

Meetings

Monthly meetings will be scheduled, with a mix of different projects discussed at each meeting.

Attendees

Additional attendees at CEIC meetings may include Contractors, Subcontractors, unions, non-union organizations, CBOs, workers, and any other interested individual or organization.

Parties to the Community Equity and Inclusion Partnership Agreement

City of Portland (CPO, Bureau Directors), community member organizations, contractors, contracting trade associations, building trades, training/pipeline providers.

Signatures:

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