



CITY OF PORTLAND
Fair Contracting Forum
Meeting Summary

Thursday, July 26, 2018

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

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

Meeting handouts: Agenda and Draft Bylaws

Welcome

Lester Spitler welcomed everyone to the meeting and invited attendees to introduce themselves and do some informal sharing.

Community Opportunities and Enhancements Program (COEP)

Lester announced that there is an active grant application out now and that they are due the 3rd of August. He cautioned that they will need to be careful about what is divulged during this meeting and that whatever is shared is also made available to the public or people who aren't here today.

Lester reported on some of the activity that has taken place since the last meeting. He indicated that a consultant conducted a Needs Assessment and that she interviewed the Project Managers (PM) and others working on the three COEP projects that are the subject of the pilot right now. In addition, she sent out a survey to 184 recipients and she got 25 responses back – and it is posted on the web. The purpose of that assessment was to give an idea to those interested in applying for the grant where to focus their vocations. The results of the survey will post as well as Q&As. Lester reported that they have already identified a represented evaluation committee and that it will consist of 10 to 12 members representative of, the City of Portland, other city jurisdictions, contractors (large and small), and consultants. He added that they do plan on going to council in September to report on the progress of the pilot and that they are developing a plan and putting together a presentation while the grant applications are out.

Kelly Haines inquired about the timeline Lester provided. She requested clarity on the current solicitation for grants that are scheduled to be awarded in late October and about the pilot projects. She asked how they relate to the resolution from last November and the money set aside specifically for those projects. Kelly indicated that those are two different initiatives in the City. Lester explained that the three projects in the pilot all have contributed to the one percent fund. The grant application is specific to the three pilot projects. The report to council is to summarize the activity thus far and project what the plans are going into the future. Lester said that as we continue to get funding from all construction projects going forward, so we'll continue to conduct Needs Assessments.

Kelly questioned how the ongoing 1% and the process for CEIC (you need approval from that committee) relate to the timeline from last November to now? Lester indicated that we realize that some time has passed since the resolution and we want to get in front of council with a plan to project the future as well as summarize the past. In addition, the request for grant applications says that we are going to publish the awards in October but that's the latest it will happen. We are going to try to time our presentation so at that point we have enough information on the pilot projects. He said that as we are developing the program and administrative rules going forward. We will be engaging this group as well as the CEIC and others for their feedback.

Jennifer Cooperman suggested that the ordinance passed last November set a lot of different things in motion, the CEIC, administrative rules, and the overall long-term plan, etc. as well as separately this pilot. We know that we need to coordinate all of that. There are a lot of things in motion and they are all being worked on simultaneously and coming to closure before we go to council.

Maurice Rahming voiced concerns about the Needs Assessment(NA) and that as a small business that is part of the pilot project he was not aware of it. His staff usually doesn't respond to calls unless they are from the City because they are approached so often it is hard to determine if the calls are legitimate.

Kelly Kupak echoed Maurice's concerns and commented on her experience with a consultant calling her but didn't followed up with them until after. "We were asked to have an interview" but never heard back until after the NA was already posted. Kelly suggested that this "body" of people should have been included before the assessment was released to advise on others to be contacted. In addition, we were not given a link to the survey.

Kelly Haines commented that overall that application is confusing and that it wasn't clear if the goal of the funding is on the projects. Otherwise she suggested if it's part of a broader strategy that's going to lead to this ongoing 1% that's more about increasing workforce and contractor diversity at the regional level or are you interested in a project by project? It's a little challenging about what is being purchased by the City. It's unclear what would get more points to focus on the 3 pilot projects or the regional approach? Lester indicated this is good feedback and we're not saying we have it all figured out. We held an informational session and many of you attended. Based on that sessions we felt we needed to do a NA and to get it out as soon as possible. The fact that many of you were not able to give your feedback at all is good feedback and we won't make the same mistake twice.

Jennifer asked if there was something that should have been included in the NA that wasn't or does it reflect how you would have responded? In response there was feedback about the application and its approach, it needed more content around the industry to form recommendations, it would be helpful to recognize partnerships that are good at networking and for outreach to get the word out, and it should clearly be expressing what the City is trying to do.

Maurice inquired about the 14% that responded to the NA and asked what percentage were MWESBs? Jennifer commented that it is included in the report, but it is disaggregated by question.

Lester thanked everyone again for their feedback emphasizing that this is a partnership and that we should do a deeper dive into how we can do it better in the future.

There were inquiries about the composition of the committee members evaluating the applications. Lester carefully explained (without divulging any names) what kind of representatives are on the panel (Project Managers, Procurement Program Coordinators, partner government agency reps, consultants and directors of diversity working for contractors) but said, however, it is not written in stone. He stressed it is important to have a well-represented committee and he will look to see if there is Union and Non-Union representation.

There were additional comments related to having committee members that represent workers and their value especially in an equity sense. It was also suggested that grant makers be included if there is no conflict of interest. Having grant makers would ensure for stronger grant making. Lester asked for volunteers to send him their contact information. Maurice suggested that Lester

look at those participating agencies and check their success rate and track record. Connie suggested that there be a workforce development person on the panel who understands best practices and applying them like SE Works.

Procurement Services Organizational Assessment and Process Improvement Update

Lester gave a brief update on what they have been doing since April, what groups they have been meeting with and some of the feedback. They are done with that part of the assessment. He suggested that there is stable work coming out and that the assessment has been helpful. Now they are going to move on to Process Improvement and Value Stream Mapping for ITBs and RFPs to design future state processes and the work budget for more staff resources to support work in the future. He suggested that 7-10 additional staff are needed to handle the workload that the bureaus have indicated will be coming out and that they are looking at code and interaction. Lester noted in the last meeting Nate McCoy had offered to support the budget and invited the entire group to support it at council when it is presented in the Fall budget. Lester commented saying, that if this group would take up Nate's offer to show support, it would go a long way. It has taken a lot of work to get the plan together for the Fall bump. Lester doesn't know what their form of support would look like, either through attendance, a letter or petition for City Council. He suggested he will be sharing the plan later when it is appropriate. Kelly Kupcak suggested Lester send out the plan as a bulleted document that they can sign as a collective.

Jennifer echoed Lester's sentiments asking for the group's support and that it would be so helpful. She said that the proposal responds to their concerns and systemic issues that need to be addressed. Lester offered to send out a summary of the assessment (PowerPoint presentations), so members can see "where we are going". He indicated that there is a plan for a value mapping improvements that he is willing to send out. He said that much of the work needs comes from Procurement staff. They are designing their future state processes

Review Draft FCF Bylaws and Provide Feedback

Lester recalled a prior meeting where bylaws were brought up and agrees it's a good idea. He said it would be good to get everyone on the same page and offered a populated template for the group to review and comment on. Lester walked the group through each page of the document. Kelly Haines suggested there be a discussion to understand what the authority of the group is and put it in the charter or bylaws. Lester agreed that is important. He asked about the importance of meeting every 3 months? Maurice suggested expanding the groups purpose. It was suggested that they look at some of the things the ECPC did and perhaps include some of those things they addressed and focus on clarity and the purpose of the group. Kelly Kupcak echoed the need to expand the group's purpose and to identify the members role as well and the City's role. The constituency should also be reflected so it can be wholistic. Lester responded to Maurice's comment, suggesting they could form subcommittees that would focus on specific issues that could use members expertise. He agreed the purpose should be expanded and asked if it is something that would go back to City Council for adoption? Kelly Haines suggested they broaden the purpose to include social equity.

Kelly Kupcak requested that language related to conflict of interest be included in the bylaws. Tiffani stressed the need to look at what the groups' purpose and the importance of understand what power the group has and being clear about what that means. Jennifer gave a brief background on how the bylaws template came to be and that we got it from the City Attorney's office. There is a need to put it down on paper.

Lester commented that he thinks of the group more as an advisory board than a decision-making board. He asked how do we leverage that advise that we get from this representative group and how do we convey that to council when we are making requests and that the input via the

advisory structure we set up could be potentially impactful. To really leverage the expertise of the members is the goal and everything you know impacts the procurement contacting processes for the City.

Mark Matthews pointed out that he doesn't recall making any decision in this group since 2009. Then EPCP came along and the authority was taken away. Pat Daniels mentioned that the main focus was on contracting. When we came to the table workforce was a clear issue and when you put the equity lenses on you must look at workforce. Maurice gave additional history about both the FCF and the ECPC-specifically that both are most effective when information is given ahead of time. Kelly recommended that there is clarity on where does our input go, to staff or a commissioner? Also, to add language about reporting back to council.

Pat mentioned the idea of moving our quarterly meetings to monthly so that they can process the most current information. She said she understood that when they were meeting monthly a lot of times there really wasn't anything to discuss. She suggested if there is nothing for a month that the meeting be canceled – so make the monthly meetings optional. Lester said that makes sense that it needs to be on people's calendars monthly, but he is always hesitant to propose more meetings. Tiffani said that if we have nothing we can always cancel the meeting. Lester suggested we could go to other sites to have meetings and that others could host some of the meetings. He also encouraged everyone to read through the section on being a public official because members of this group are considered public officials. He suggested that we probably have enough conversation the he could revise the draft and send it out to the group. We may be going back to council with a clearer ordinance about what the group wants.

Monthly meetings will start in September and then go monthly from there with the option to cancel if there are no agenda items. We will need to be proactive to see who wants to host and where? Michael Burch suggested Lester send out a survey.

Maurice said there are organizations that have similar groups that have similar missions. Lester expressed interest in learning more about those groups. Maurice asked about workforce data and asked if the City could post it somewhere. Lester indicated he would investigate a dashboard. He suggested subcommittees could be assigned to review data at a regular frequency and we can keep it at a policy level knowing that we can dive deeper.

Kelly Kupcak asked Lester if it is his vision to shore up the information and send that out prior to the September meeting? Lester agreed.

Lester closed the meeting thanking everyone for attending and for their partnership. He asked the group to continue to give us feedback good and bad, and "let's not stray away from the hard conversations".

Next Meeting
Thursday, September 27, 2018
10:00 to 11:30 a.m., Portland City Hall
3rd Floor - Rose Room