



CITY OF PORTLAND

OFFICE OF MANAGEMENT AND FINANCE

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To: Mayor Hales
Commissioner Fish
Commissioner Fritz
Commissioner Novick
Commissioner Saltzman

From: Fred Miller, Chief Administrative Officer, Office of Management and Finance (OMF)

RE: The Portland Building Reconstruction Project Update

On April 1, the Portland Building Reconstruction project team released the Request for Proposal (RFP) for the progressive Design-Build-Relocate (DBR) contract. The deadline for proposal submissions is May 13, and we expect to bring the contract to Council for approval this summer. This is a major milestone for the project and keeps us on track for completing the reconstruction by the end of 2020 for no more than \$195 million. I also want to update you on the progress and next steps for other areas of the project.

In October 2015, City Council passed Resolution #37160, which directed OMF to allocate 1% of hard construction costs for community opportunities and enhancements and to develop recommendations for implementation. On March 14 and 16, OMF convened two stakeholder input meetings to gather ideas about how to allocate the 1% for community opportunities and enhancements. We received a wide range of input from a variety of stakeholders who have diverse ideas about how the money should be spent.

Staff is using the feedback from those meetings and other conversations to develop a proposal for how to allocate the funding. Attached you will find the ideas gathered at the two meetings. This list is also available on the Portland Building website at www.portlandoregon.gov/portlandbuilding. The Equitable Contracting and Purchasing Commission and other stakeholders will be provided with a draft proposal to review prior to Council consideration in May.

In developing the DBR RFP and the 1% community opportunities and enhancements proposal for the project, we reviewed CBAs and Community Benefit Plans (CBPs) from other projects, as well as a variety of contracting policies and strategies. We then incorporated the elements that were beneficial to achieving the minority contracting goals. For example:

- Including an Equity, Inclusion and Diversity plan that outlines the contracting goals.

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To help ensure equal access to programs, services and activities, the Office of Management & Finance will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities upon request.

- Setting more aggressive goals than used before for any prior City project for minority and women contracting for construction services.
- Incorporating accountability measures, for achieving the set goals, in the contracting process. Incentives and damages will be applied for meeting, exceeding or not meeting the goals.
- Including a diversity manager who will provide assistance to the contractor and subcontractors in the preparation of disadvantaged, minority-owned, women-owned, emerging small business (DMWESB) procurement procedures and ensure contractor and subcontractor compliance with Equity, Inclusion and Diversity plan requirements.
- Require a Design Services Team Mentor Protégé. This protégé role will provide technical assistance and administrative support to DMWESB PTE Consultants. This will help build capacity to meet the aspirational goals of the project.
- Tracking and reporting on women and minority workforce utilization at both the apprentice and journey levels and by trade. Goals have been established at each level and reports will be provided to demonstrate utilization throughout the project and to monitor whether goals are being met.

In October 2015, through Resolution #37159, Council directed OMF and the City Budget Office to develop scenarios for lease rate equalization to be implemented no later than FY 2020-21. Based upon the discussion at the OMF Budget presentation, OMF will implement rate equalization beginning in FY 2020-21. The blended rate analysis that was presented was based upon the assumption that the bureaus currently in the Portland Building would remain the same after reconstruction is complete. It further assumes that BES services that are currently in leased space would be moving into the Portland Building.

From the outset of this project, the process has been transparent with information available on our website and provided to interested groups or individuals. It is important to note that community engagement and outreach has helped us shape this project to date. The Portland Building Reconstruction Advisory Committee helped us create the parameters for this reconstruction project. DAY CPM, our Owner's Representative, conducted a market sounding tool, which captured industry concerns and ideas and helped strengthen the RFP. Additionally, ideas from the March input meetings on the 1% community opportunities and enhancements were incorporated into the DBR diversity plan, which is included in the RFP.

As you can see, work on this project is happening at a pretty quick pace and I'm pleased with the progress. The team working on this project is strong and has demonstrated their ability to move things forward in an expedient and well thought out manner. I am available to answer any questions and look forward to sharing the proposal on the 1% for community opportunities and enhancements with you next month.

Cc: Council Office Chiefs of Staff
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Portland Building Reconstruction Project 1% for Community Opportunities and Enhancements

On October 21, 2015, City Council passed Resolution #37160 to allocate 1% of the hard construction costs from the Portland Building Reconstruction project for community opportunities and enhancements. These funds are to provide opportunities for people of color, women, economically disadvantaged individuals and communities, people with disabilities, local contractors and organizations, and the minority vendors on the first floor of the Portland Building.

On March 14 and March 16, 2016, the Office of Management and Finance (OMF) convened stakeholder meetings to gather ideas for allocation of the 1% of hard construction costs (approximately \$800,000 to \$1 million). Input from these meetings will be used when developing the allocation plan, which will be submitted to City Council in May. Judith Mowry, Acting Director of the Office of Equity and Human Rights, facilitated the meetings.

Meeting Process

The meeting started with presentations about the contracting methodology, the Disadvantaged/ Minority/ Women/ Emerging Small Business (D/M/W/ESB) and workforce goals for the project, and the direction from City Council about the 1% funds. The reconstruction project will use a progressive Design-Build-Relocate contracting mechanism. This means that the project team for the entire project will be brought on at beginning of the project for a collaborative and integrated process. This project also includes a commitment to aggressive goals for DMWESBs workforce utilization.

The criteria and goals by which ideas will be assessed for the allocation of the 1% were also provided. These goals include:

- Supports social equity contracting goals
- Supports long term, sustainable strategies; builds or enhances community organization capacity
- Mitigates adverse effects
- Is legally sound
- Minimizes administrative costs

The documents shared at the meeting can be found on the [Portland Building website](http://www.portlandoregon.gov/omf/70387) or with the following direct link: <http://www.portlandoregon.gov/omf/70387>.

Participants were asked to share their ideas for how to allocate the 1% in writing so all ideas could be captured. The ideas generated at the meetings are listed below in alphabetical order. The list reflects all written comments.

Next Steps

In April, OMF will assess ideas against the criteria and goals, stated above, and draft a plan. A proposed plan to disburse the funds will be taken to City Council in May 2016. Stakeholders will have an opportunity to review the proposal prior to the City Council meeting.

Ideas for how to spend the 1%

- +1 Vote on this: Eliminate E.S.B. from D-R goals and construction goals.
- +1 Vote on this: Separate T.I. budgets for first floor vendors from 1%.
- ¾ of contracting time line has passed – and you are now asking for our input?
- 1% of the reconstruction money I would like to see it used for affordable housing. Me gustaria ver mas igualdad en todas las comunidades. Y mas oportunidad a los jovenes. Mas viviendas para todos no solo para los ricos. Me gustaria ver una comunidad unida. *Translation: 1% of the reconstruction money I would like to see it used for affordable housing. I would like to see equality in all communities. And more opportunity for youth. More housing for all, not just the rich. I would like to see a united community.*
- 1%: pre-apprenticeship; workforce support and capacity building; recruitment and connection to communities of color and low income to economic opportunity.
- 75% of the funds should be used to assist the City to have a diverse workforce on the project.
- 85% of the dollars to work force.
- 85% to work force.
- Affordable housing.
- Anti-Displacement strategy: Prioritize Communities of Color and Marginalized communities of color. Partner with workforce development and skills development entities who provide jobs and living wage in communities of color.
- Anti-displacement strategy: prioritize communities of color and marginalized communities. Partner with CBO's – culturally specific that support the social needs of that community, particularly in areas of education, economic development and housing support services.
- Apprenticeships should include individuals economically disadvantaged especially formerly incarcerated.
- Apprenticeships that start inside of several correctional facilities will boost the economy. It will honor the City agreement to work with women, disabilities, persons of color.
- As a workforce employment specialist with the Urban League of Portland, decision makers need to consider intersectionality and the cost needed within non-profit organizations that provide employment services o marginalized people and the people of color. We need at least \$950,000 to be provided for training and other workforce costs. We need opportunities equally distributed to individual groups of color and funding provided to Minority contractors as well.
- Asking me how to spend less than \$800,000 to meet goals for our communities is a poor use of my time. Seek expertise for the fall construction and relocation.

- Ayudar a E.P.A.P porque es la única que nos da apoyo y nos une como personas y como comunidad sin ver color o rasas. Gracias por todo. Familias y comunidades unidas todos felices.
Translation: Help EPAP because it is the only one that supports us and unites us like people and like community without seeing color or race. Thank you for everything. Families and communities united all happy.
- BC2 (Bento Coffee and Cookies): We are a minority owner of a small business so we deserve to be considered in the 1% conversation. We hope that City purchase the first floor vendor businesses at fair market value. Secondly, we do hope City provide relocation assistance to new business location which is already set up as a restaurant and pays for costs of premises improvement at new location.
- Broad community involvement in decision making process (before decisions are made) including Oversight Committee Development. Need for more transparency and accountability.
- Broad (not hand-picked behind closed doors) Community involvement in Oversight/Compliance:
 - Project + goals.
 - Fund design, procurement and accountability.
 - Contractor TA.
 - Workforce development.
- Business consulting to DMWESB Firms: To successfully do this work, manage the recruiting, capital requirements, training, management, etc. to do this work in a way that creates a sustainable growth in capability and capacity in the firm.
- Café Portlandia: Purchase the first floor vendor's business (at fair market value). If renovation is going on a floor by floor basis, provide free rent until renovation is done, and support the cost of store improvement.
- Career based opportunities for high school students. They sometimes don't give us jobs but you don't give us the opportunity to show what we have. It will help us with job experience.
- City should support vendor aside from 1%
- Community Benefits Plans have worked well – take feedback and take this concept to the next level.
 - Look at Parks projects and housing
- Community Involvement in decision making. Use MAWE CBA formulas.
- Community should be part of the Oversight Committee and enforce community goals.
- Criteria include equitable distribution of jobs and purchasing.
- Design construction goals are weak. Cully Park: 70% MN Water Bureau: 40% M work.
- Disaggregate goals and funding (different “minority communities, women apprentice and journey workers).
- Divide relocation funds from 1%, and provide .5% for relocation. 1% for construction goals.
- Do not pit P.O.C owned businesses against community.

- East Portland local hire for workforce and business participation. East Portland is the most disadvantaged part of the City.
- ECPC?
- Ensuring the hiring of all local contractors, workforce in all phases of project. In order to keep money in the Community.
- Ethnic studies for high school students. We will be more educated in all the cultures. We are a mixed culture, of many we became one! So why not learn about the culture of our ancestors. Ethnic studies in all cultures.
- Finance a labor-management community Oversight Committee to ensure that project meets or exceeds diversity and other workforce/contractor. Goals are achieved or exceeded.
- Find new location. A facility that is already set up as a restaurant or retail store is preferable.
- Five years of work on the CBA, a city of Portland Ordinance that has developed best practices. I see no reflection of this hard work in applying these best practices in the proposal by the staff today. It appears all responsibility of meeting thresholds is left to staff and the contractor – with important support from a consultant. I don't believe this is enough. I propose that the Oversight Committee include minority involvement by a LMCO and similar to that in the Modified CBS or adopt a similar CBA.
- Focus benefits around construction trades since this is a construction project, and these are family wage jobs.
- Follow up meeting when final goals objectives, budgets, etc. have been decided on.
- Formerly incarcerated individuals are more than 1% and have contributions to add to the City of Portland workforce goals.
- Funding to expand the capacity of pre-apprenticeship programs. Outreach training, general capacity building
- Funds to assist apprentices of modest means to purchase tools, boots, and other necessities for the job.
- Galloway's Gift and Sundries –Purchase the first floor vendor's business at fair market value; if vendors can stay in the building during construction, provide rent abatement during the construction period: City provide relocation assistance to new business location which is already set up as a store and pay for costs of premises improvement at new locations.
- Grant Program: Create a partnership with local Foundations to increase the impact of the limited funding. Perhaps MRG, Oregon Community Fund, Meyer Memorial Trust, NW Health Foundation could help with this.
 - They have been working on equity causes for years and have close relationships with CBOs.
 - Perhaps they could do some kind of match challenge or specific grants on their side to support the work at the same time.
 - Partnership with foundations could leverage a greater community impact.

- Have clear procurement process/RFP for granting funds to CBOs. Also, have metrics to measure the desired community benefit.
- Hire bilingual supervisors so as to hire workers with first language other than English and offer ESL lunch classes.
- How do we have a say in the Oversight Committee selection? How do we ensure transparency and accountability are upheld throughout the planning and execution process? Place the three vendors as part of the 1% and move them to a different pot of funds. They should not be a part of the 1%, the 1% can be used to develop and incorporate those who are not already included.
- How does this proposal differ from the W.O.T.C (work order tax credit) which states women, minorities, individuals with disabilities, have equal access to employment and gives employers additional tax break or tax credits for hiring? How does the Work Order Tax Credit (WOTC) differ from the City's agreement to include minorities, women, folks with disabilities? The plan is to include those underrepresented populations of people. But it seems there is no resolution to do so. This proposal should beef up and go beyond the WOTC, that's established.
- If vendors must close their businesses during the reconstruction of first floor, provide compensation for lost revenue for time business is closed.
- In order to support continuity of opportunity for women and people of color the formula incorporated on the two Water Bureau projects should be used on the Portland Building.
- Invest in gateway education and economic development Center.
- Invest in Oversight necessary to disaggregate workforce goals and securing same by race, trade, journey and apprentice.
- It is important to have papers in the languages that the people can understand to make them feel better/more welcome. The times have changed and more people are involved and we need papers translated in their own languages.
- Job opportunities for people of other languages not just American people. Why want people of other languages to go to college if you won't give them jobs!
- Make each sub-contractors accountable for requirements.
- MAWE is a fully functioning Oversight Committee that produced results.
- More classes in high school for students, different newer classes that students want.
- More College now classes for students at high school for students.
- Moving City departments to other locations will create confusion and frustration for citizens trying to access the City. To mitigate this, create Video conference option. This will save time, gas, and irritation for the public.
- Not re-invented list of minority owned businesses, specifically Native Owned. (PDC) businesses for all phases of construction of project.
- Ongoing 1% attached to City funded projects.
- Ongoing 1% on projects to construction projects.

- Outreach to DMWESB firms. To engage in this work, including outreach to firms not previously involved in commercial construction such as residential sector firms and others. Enhabit has engagement with residential sector firms.
- Oversight:
 - Concerns that the Oversight Committee will not have truly broad representation and enough expertise to hold contractors accountable in a timely and effective manner.
- Pay for some rental fee for private location.
- Please select organizations who have the backing and support for MBE/DBE businesses.
- Pre-apprenticeship training for women and minority community members.
- Preventing involuntary displacement also known as gentrification. Putting a stop to a silent community disruptor and killer. Gentrification can cause a psychological problem to children when they are evicted from their homes and lives.
- Prioritize initiatives that grow the workforce training system in the City.
- Provide assistance similar to other small businesses services provided by PDC and are consistent with agency's strategic plan. <http://www.pdc.us/for-businesses/business-programs.aspx>,
 - Financial assistance and loans to assist in equipment purchase, property acquisition, working capital and credit enhancement.
 - Store front improvement grant
 - Commercial property redevelopment loan
 - Technical assistance
- Provide brokerage support to vendor so vendor can find new relocation.
- Provide technical assistance to building vendors.
- Provide vendors with right of first refusal to return to City-owned spaces upon completion of construction:
 - Relocate back to retail/commercial space in the redeveloped Portland Building, post-construction, if such spaces exist.
 - Relocate to other City-owned spaces that may be available later.
- Provide workforce support (P.P.E, Clothing, etc.).
- Recruiting and Training support for firms referring workers: When a worker leaves company X to go work on Portland Building, provide support for company X to recruit and train a new worker – M/W worker, to fill that post.
- Relocate vendor to other City-owned, or other government owned space that might be available.
- Require successful contractor. Demonstrate/work with Minority Workforce Programs in the City in filling positions.
- Retention - Practical strategies to counteract differential apprentice attrition rates (lack of networks, harassment, and barriers to employment)

- Retention:
 - Men of Color complete: 31%
 - White women Complete: 26%
 - Women of Color: 19%
- Selection of culturally – specific organizations who can support the needs/opps for technical assistance and owner’s rep role for duration of project attending DBR contractor meetings.
- Separate construction and relocation funds, if necessary increase percentage or dollars.
- Set aside funds to create a loan fund targeted to support minority/women-owned construction business.
- Should include hardware for small firms (computers, etc.). Should include professional services to help develop a business plan. Should include financial support to secure bonding for small firms.
- Significant investment with proven pre-apprenticeship programs to bring Apprentice and workforce to project.
- Some of the money should be spent to address many of the issues that drive diverse workers out of the industry such as lack of equitable hours, harassment, and inconsistent training.
- Start technical assistance early, which improves opportunities for disadvantaged businesses.
- Statue of Maurice Ramming.
- Sticky notes? Would you have asked the President of Hoffman Construction to write his ideas on a sticky note?
- Support and tracking of minority journey workers.
- Support for transit fare for workforce.
- Technical assistance fund with offerings tailored to needs of M/W/DBE contractors.
- Technical assistance to MWBE businesses.
- The 1% community enhancements and opportunities funds should be a substitute for community benefits agreement. 1% is an insignificant amount of money but at the same time is not enough to really spearhead new effort/programs, it therefore may be best used to provide gap funding for an existing community program or initiative. Use the funds to leverage existing dollars. Use the 1% to help fund a culturally specific homeless shelter given that a disproportionate amount of communities of color are homeless. Use the 1% to help fund a citywide affordable housing fund with a focus on anti-displacement. Use the 1% to help improve/provide childcare services in the future Portland Building that is culturally specific and expanded to provide services for a higher number of kids/increased capacity.
- The Brookings Institution rated Portland #87 for equity among 100 largest U.S Cities, business as usual is not working.
- The City can hugely impact poverty within its residents by developing a more robust workforce program on its public works that would include asking their contractors to have a workforce diversity consultant as well as the MWESB consultants.

- The funds should have a focus on ensuring diverse workers have opportunity to move to journey- level and beyond.
- The funds should have a focus on ensuring that diverse workers have opportunity in every scope of work, not just flagging and clean-up.
- The most vulnerable populations are former incarcerated folks. Formerly incarcerated individuals should have equal access to Employment and apprenticeship opportunities.
- The Oversight Committee should be made up of the 1% of the City's outlined target group.
- The project should ensure that all communities of color have opportunity to become journey-level and work on all scopes – especially the higher wage electrical and mechanical trades.
- There is a significant difference between informing community and community input in process and projects. It is imperative to move towards inclusive decision making and include the community in the design. Gather and design meaningful systems of community input. This is a disjointed process.
- There should be strong Community Oversight over the whole project, not just 1%.
- This process of commenting on the 1% misses the heart of the project and reduces our chances of reducing community goals. Go to the community and come up with a real #, not 1%.
- To enroll in pre-training to qualify for these jobs. (Real marketing). Oregon Tradeswomen and Construction Hope have this capability.
- Transparent project scoping, design, and build with community stakeholders (MAWE, ADPDX, Union Laborers, etc.)
- Use \$250,000 as a loan fund to help minority owned construction businesses with working capital – such as MESO to implement. Provide support to vendors. Use non-construction businesses to support other identified activities e.g. printing.
- Use CBA framework on construction goals. Use 1% to support those goals and build and expand upon past successes. Expand 1% investment decision from 1) supporting CBA goals and then 2) to broaden community involvement.
- Use the ECPC as the Portland Building Oversight Committee.
- Use the existing Community Benefits Agreement structure.
- Use the MAWE CBA + formula.
- Use the same framework as was passed by City Council in Oct. 2012 (Resolution No.36954) on the Portland Building project. The public projects that used this CBA exceeded all goals. Use 1% to support meeting those goals and supporting the participating CBOs and partners.
- Vendor support should be a given – not out of these funds.
- When the first floor is being reconstructed, and if the vendors are able to stay during construction, support the vendors costs to move and store and re-install equipment that they own, while their space is being reconstructed.

- Who is in the oversight committee?
- Work force training cross-trade for MWESB's and geographically representative.
- Workforce and Contractor tracking and reporting tools: Tools (software, web interface, database, reports) to track worker hours and dollars and contractor hours and dollars, by M/W and DMWESB, and by skill level and by trade at minimum cost and time, and maximum ease of use for all, and maximum speed and transparency. And report throughout the project so gaps can be identified and community groups can help fill those gaps. Enhabit has tools to provide much of this capability.
- Workforce Goals: All tracking should be posted in the completely broken out way publicly. It should be advertised that it is available. This will enable the community to actively hold this process accountable. It also needs to be posted quickly after payroll and within a couple of weeks so that concerns and course corrections can be made quickly. Let the community help with accountability.
- Workforce Goals: Track by trade as well. Helps the community target and do recruitment where specific gaps exist.
- Workforce Goals:
 - The tracking for workforce goals should be broken into different race and gender categories in the same way that BOLI Apprenticeship and Training Division requires apprenticeship programs to share.
 - For example

• Male	• Supervisor Journey Apprentice
• Female	• Supervisor Journey Apprentice
 - This type of breakout will allow the City and the Community to quickly identify where inclusion gaps are.
- Would like to have very transparent data that is disaggregated by race, gender, trade, and status (whether apprentice, journey-level or supervisor) and posted regularly on the web.