

ECONOMIC OPPORTUNITY REVIEW COMMITTEE

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, December 9, 2013
10:00 a.m.

PRESENT:

ANGELA DOWD BURTON, CHAIR
STEVEN SCOTT BRADLEY

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MS. DOWD-BURTON: Good morning.

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My name is Angela Dowd-Burton. I am

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Executive Director of the Office of Economic

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Opportunity. I would like to welcome you to the

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Fourth Quarter 2013 meeting of the Economic

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Opportunity Review Committee.

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This Committee was established by City

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Council Resolution 120184. The business of this

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Committee will be transcribed and published on the

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Office of Economic Opportunity website. We have

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currently had six speakers registered for this

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morning's meeting. Those speakers include William

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Clark, Director of Special Projects for the Office

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of Economic Opportunity; James Creedon, Senior

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Vice President for Construction Facilities and

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Opportunities at Temple University; Angelo

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Perryman, Chair of the Mayor's Advisory Commission

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on Construction Industry Diversity and President

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and CEO of Perryman Building and Construction

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Services; Peter Speaks who is Special Counsel to

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Pennsylvania State Senator Vincent Hughes;

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Dr. Christopher Crockett, Deputy Water

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Commissioner; Paul Kohl, Biogas Project Manager;

1 and Janira Barroso, Director of Participation all
2 from the Water Department; and Just Laws, Steve
3 Masters, Esquire.

4 If there is anyone here who would like to
5 submit testimony who has not registered yet,
6 please see Lashanda Tompkins to my right and she
7 will be happy to register you. We invite everyone
8 who attends this public hearing to sign up for our
9 blogs and emails from the Office of Economic
10 Opportunity where we actually inform you of events
11 hosted by the City, the African-American Chamber
12 and the Hispanic Chamber of Greater Philadelphia.

13 With that, I'd like to ask my esteemed
14 colleague to introduce himself.

15 MR. BRADLEY: Good morning. My name is
16 Steven Scott Bradley. I'm Chairman of the
17 African-American Chamber of Commerce and also
18 President and CEO of Bradley and Bradley
19 Commercial Insurance Brokers.

20 MS. DOWD-BURTON: I will acknowledge today
21 Varsovia Fernandez, who is President and CEO of
22 the Philadelphia Hispanic Chamber -- I should say,
23 the Hispanic Chamber of Greater Philadelphia, she
24 is out ill today. And Judith Hoover who regularly

1 participates on this Committee who we do expect to
2 arrive a little bit later.

3 Seeing that we do have a quorum, we will
4 begin with our business for this morning. It is
5 my pleasure to welcome you. I look forward
6 certainly to working with each of you and those on
7 our Committee as well as the business community at
8 large and citizens to strengthen the impact of
9 economic opportunity plans designed to foster the
10 inclusion of minority and women-owned businesses
11 as well as workforce diversity.

12 I think I mentioned a little bit earlier
13 that this Committee was established by City
14 Council. It was actually established in April of
15 2012. And this Committee conducts public hearings
16 on a quarterly basis to capture the state of the
17 marketplace from the perspective of the project
18 owners, contractors, subcontractors, union
19 representatives, perspective employees and
20 consultants.

21 The Committee is responsible for reviewing
22 the implementation and the effectiveness of
23 Chapter 17-1600 of the Philadelphia Code entitled
24 "Economic Opportunity Plans." And we are also

1 responsible for making recommendations to City
2 Council regarding the adoption of resolutions
3 calling for the debarrment of certain contractors
4 and recipients of city financial assistance under
5 Chapter 17-1606 of the Philadelphia Code.

6 Over the past 18 months, we have heard from
7 37 experts who have testified. Eleven have
8 represented city public works projects. That's
9 the Water Department, Public Property, Commerce
10 and the Zoo among others. Transcripts of these
11 and other experts across the marketplace are
12 currently on the Office of Economic Opportunity
13 website at www.phila.gov/OEO. This morning we
14 will hear public testimony summarizing the
15 findings that have been presented in transcripts
16 over the last 18 months.

17 We have asked William Clark, Director of
18 Special Projects for the Office of Economic
19 Opportunity to capture the highlights and the best
20 practices. And he will be presenting his findings
21 and insights. His presentation will be followed
22 by the Temple University James Creedon. I see
23 that you are here. Thank you for attending. I
24 know your calendar is tight. We are going to ask

1 you to follow very closely behind William.

2 And then we will have testimony from Angelo
3 Perryman. And I also want to acknowledge Tony
4 Wigglesworth who also serves on MACCID. He is
5 also here today, as well. Peter speaks is on a
6 train on his way. We are hoping he will get here
7 in a timely fashion. And then the Water
8 Department will make their presentation.

9 And I also want to acknowledge Sadique
10 Akbar who serves on Councilman Goode's staff, his
11 Chief of Staff. And he is also a member of the
12 Oversight Committee for the Philadelphia Water
13 Department's Biogas Project. And then we will
14 hear from Steve Masters.

15 Steve, if there are any proposed changes to
16 the agenda?

17 MR. BRADLEY: I'm fine.

18 MS. DOWD-BURTON: We can proceed. Okay.
19 Thank you.

20 With that, I am going to ask if William
21 Clark will come to the table, please, and
22 introduce yourself to the Committee.

23 MR. CLARK: Good morning, EORC Committee.
24 Good morning, Chairwoman Dowd-Burton.

1 MS. DOWD-BURTON: Good morning.

2 MR. CLARK: My name is William Clark. I am
3 the Director of Special Projects in the Office of
4 Economic Opportunity for the City of Philadelphia.

5 As the Director of Special Projects, I am
6 responsible for the EOPs, that is the Economic
7 Opportunity Plans, for private and nonprofit
8 projects throughout the City. I also provide
9 oversight and leadership to Economic Opportunity
10 Plan reports and a development of supplier
11 diversity initiatives. Today I am here to testify
12 about the best practices in the EOP Management.

13 The best practices I will highlight today
14 have been shared with the EORC over the past two
15 years through the testimony of various project
16 owners and stakeholders. In addition, other best
17 practice recommendations have been shared during
18 Oversight Committee meetings. My testimony does
19 not seek to introduce new ideas of how to best
20 manage EOPs. Rather, the focus of my testimony is
21 to identify the trends among stakeholders that
22 have proven its staying power across various
23 projects.

24 Each stakeholder that contributes to an EOP

1 plan plays a significant role in meeting or
2 exceeding EOP commitments. I have found after
3 reviewing the transcripts of prior EORC meetings
4 and meeting some stakeholders during their
5 oversight committee meetings, that each
6 stakeholder finds success they are looking for
7 when they take complete ownership of the elements
8 within their control.

9 The subsequent ideas I will share will be
10 separated by stakeholder. The separation does not
11 mean each stakeholder and its best practices are
12 independent of other stakeholders. Rather, my
13 observation has been that all stakeholders are
14 interdependent. And when they work together, EOP
15 commitments are achieved. The stakeholders I will
16 highlight in my testimony today are project
17 owners, project monitors or EOP consultants, prime
18 and subcontractors, M/W/DBE and the community.

19 I will now take you through each
20 stakeholder category and their trending best
21 practices. Project owners own the project and are
22 ultimately responsible for the project from
23 beginning to end and in most cases beyond.
24 Project owners hire an EOP consultant to monitor

1 EOP goals during the life of the project. Owners
2 typically evaluate inclusion efforts of
3 contractors early and often. In some cases, this
4 has resulted in the release of contractors that
5 did not meet or maintain EOP commitments. Owners
6 have increased their maintenance of internal
7 database of prequalified M/WBEs and local workers.
8 This database serves as a tool to promote long
9 term employment in the community when it is shared
10 with other project owners in nearby ZIP codes.

11 Project monitors are also known as EOP
12 consultants. Project monitors provide the
13 following support of services to project owners.
14 Project monitors capture and audit real time
15 inclusion data and worker demographics. They
16 identify ready, willing and able M/WBEs to meet
17 project needs. And they advise on best practice
18 recommendations to meet or exceed EOP inclusion
19 goals.

20 Project monitors have taken the initiative
21 to increase their value to project owners by
22 cultivating M/WBE relationships. Through this
23 effort, project monitors continue to maintain an
24 internal database of local workers and host

1 minority contractor fairs.

2 Prime and subcontractors fill work
3 requirements during the contract. Prime and
4 subcontractors maintain pertinent records relative
5 to EOP goals including employee demographics,
6 employee data and certified payroll data. We have
7 seen an increase in their maintenance of an
8 internal database of prequalified M/WBEs and local
9 workers, as well.

10 Minority and women-owned business
11 enterprises are on the rise in Philadelphia.
12 Successful M/WBEs have shown the following best
13 practices that has led to their success.

14 One, a strong back office operation; and
15 two, an ability to scale their business capacity
16 through joint partnerships with prime and
17 subcontractors, the development of new disciplines
18 and skills and, in some cases, mergers and
19 acquisition.

20 Finally, the community and community
21 organizations are critical to the overall success
22 of a project and the achievement of EOP goals.
23 The community has the ability to provide
24 significant support in promoting educational

1 opportunities for minority and female high school
2 students and marketing available business
3 opportunities to ready, willing and able M/WBEs.
4 I should note that all stakeholders are equally
5 responsible for documenting and reporting
6 instances of EOP malpractice and noncompliance to
7 the OEO and the Office of Inspector General.

8 In conclusion, I would like to leave the
9 EORC with three prevailing thoughts.

10 One, each stakeholder that contributes to
11 an EOP plan plays a significant role in meeting or
12 exceeding EOP commitments.

13 Two, each stakeholder finds success they
14 are looking for when they take complete ownership
15 of the elements within their control.

16 And finally, three, the stakeholders are
17 interdependent. When they work together, EOP
18 commitments are achieved.

19 MS. DOWD-BURTON: Okay. Thank you very
20 much, William.

21 Steve, any questions for William?

22 MR. BRADLEY: None.

23 MS. DOWD-BURTON: Okay. All right. Thank
24 you very much.

1 Now I'd like to call James Creedon. James
2 is Senior Vice President for Construction
3 Facilities and Opportunity at Temple University.
4 And he chairs the Temple University Economic
5 Opportunity Oversight Committee.

6 Thank you so much for being here. And I
7 will also quickly add you're a member of the
8 Mayor's Advisory Commission on Construction
9 Industry Diversity. And we sincerely thank you
10 for your efforts there.

11 MR. CREEDON: Thank you very much and good
12 morning.

13 MS. DOWD-BURTON: Good morning.

14 MR. CREEDON: Pleasure to be here this
15 morning. I want to thank the Committee for
16 inviting Temple to come and talk about our
17 experiences over the last few years in what is a
18 very important area to us on our construction
19 projects.

20 I also want to thank Angela for the
21 guidance that's she's given us along the way and
22 also her service on our EOP Oversight Committee
23 which at one point was seeing over five different
24 projects with a very diverse group of individuals

1 providing input.

2 Temple University has a commitment to
3 diversity in our university, our workforce and in
4 our construction projects in how we procure goods
5 and services. The guidelines set by the EOPs are
6 helpful in working with our contractors and, most
7 importantly, our project managers to make sure
8 that we have a diverse supplier base. And a
9 diverse workforce is seen as something that is key
10 to the success of our projects.

11 I want to cover a few things this morning
12 with you and also leave some time if you do have
13 some questions for me about our experience. I
14 want to talk about some of our recent projects and
15 our results, talk about our strategies, but then
16 also talk about what some of the things we see are
17 the challenges moving forward and some activities
18 that we are looking at to improve on the strong
19 base that we already have.

20 Let me begin by talking about the Morgan
21 Hall Project. The project is located at the
22 corner of Cecil B. Moore and Broad Street. Can't
23 really miss it if you drive up to North Broad
24 Street. It was a \$216 million project. The

1 contractor was Driscoll. They did -- they
2 guaranteed GMP basis directly with the university
3 with a number of subcontractors on the project.

4 I'm going to share with you some of our
5 results on that project, but I also want to talk
6 about the results not so much in terms of
7 percentages. Certainly the percentages help tell
8 us how we are doing towards our goal, but also
9 talk a little bit about what do those percentages
10 mean in dollar impact to businesses,
11 minority-owned businesses, women-owned businesses,
12 what this mean in dollar impact to local residents
13 who work on the project, Philadelphia residents
14 who work on the project and minority and women
15 workers who work on the project. I think when you
16 kind of move away from seeing whether I am going
17 to meet my target, it also is rather interesting
18 to look at what the real economic impact is of
19 having a diverse supplier base and having a
20 diverse workforce.

21 For the project in terms that we can all
22 think about, our goal was 35 percent participation
23 by minority and women-owned businesses. We had
24 40 percent participation. 28 percent of that was

1 to minority businesses and 12 percent to women
2 business. As far as economic impact in dollar
3 value, we did \$40 million worth of business on
4 that project with minority businesses and about a
5 little over about \$16 1/2 million with women-owned
6 businesses.

7 You know, I think that if you look in terms
8 of a project generating \$40 million of economic
9 opportunity, salaries, supplies being purchased,
10 transactions, the economic impact of that is huge.
11 It's \$40 million to the minority and women-owned
12 business community and that supplier base. But
13 it's also business opportunity to those they use
14 in subcontractors where they buy supplies, where
15 they purchase goods and services, the people that
16 they are able to employ directly to work on the
17 project but also the people they have to employ to
18 do their accounting and to do their administrative
19 work back in the office.

20 So, we feel pretty good about the numbers
21 we were able to achieve in Morgan Hall and looking
22 at it in terms of meeting our goal, exceeding our
23 goal but also the actual economic impact.

24 Turning to the area of the workforce that

1 built Morgan Hall for us, we are particularly
2 proud of that workforce. We think it reflected
3 diversity of the City of Philadelphia. Our goal
4 was 32 percent minority workforce and 7 percent
5 female workforce. We achieved 37 percent minority
6 workforce. We underachieved on the women
7 workforce by only having 2.3 percent for a total
8 of just under 40 percent of our workforce being
9 minority or women.

10 Interestingly, 42 percent of our workforce
11 was Philadelphia residents. And 8.5 percent
12 represented residents of -- I don't really use the
13 term ZIP codes. I like to use "our neighborhood"
14 around Temple. So, 8.5 percent of the workers
15 worked hours on the site worked for the local
16 area.

17 What about the impact of that? We estimate
18 that the wages and benefits to women and
19 minority-owned workers on the Morgan Hall Project
20 exceeded \$18 million. To Philadelphia residents
21 it exceeded \$19 million. And to our local
22 neighborhood, we provided in addition to those who
23 already worked for the University, we were able to
24 have about another \$3.8 million in salaries and

1 benefits. As you look at that as a business that
2 would locate in North Philadelphia and if we said
3 we were going to have a \$3.8 million annual
4 payroll, I think we would be pretty welcomed in
5 North Philadelphia as we are supporting the
6 neighborhood. They are construction projects and
7 only run as long as the life of the project. The
8 key for us is how do we sustain that as we
9 continue to grow and as we continue to develop?

10 So our next project we moved onto -- Morgan
11 Hall was completed this summer. The next project
12 that started for us was the Science Education and
13 Research Building. It's under construction now.
14 It's about \$110 million construction project
15 located at the heart of our campus. Because of
16 the notoriety that Morgan Hall had and its
17 placement on Broad Street, the SERC has kind of
18 become kind of the younger brother or sister to
19 Morgan Hall. Just kind of happened. Kind of the
20 middle child, I would guess, is the way to
21 describe it. A major 250,000 square foot, high
22 end science and technology research building for
23 the university.

24 It is a state funded project which made it

1 a little bit different than the Morgan Hall
2 Project and has over 15 different prime
3 contractors. We are managing as a prime with a
4 project manager who is not financially at risk,
5 but is more a project manager on behalf of the
6 University to keep the project moving.

7 The project currently is about 35 to
8 40 percent complete. We expect to have students
9 taking classes in it this summer. Going to be a
10 lot of activity occurring over the next six months
11 as we move inside to complete that project. Our
12 goal was 35 percent, again, for minority and
13 women-owned business participation. We currently
14 are at about 30.5 percent. In terms of impact, we
15 already know at this point without the project, as
16 I said about 40 percent, a lot more to go, we will
17 provide about \$16 million in economic impact to
18 minority-owned firms and about \$12 million in
19 economic impact to women-owned firms.

20 One of the areas we were concerned with
21 coming out of the strong numbers on the workforce
22 diversity with Morgan Hall and then at the same
23 time having overlap with the construction of the
24 science building, was were we going to be able to

1 sustain those high levels? Were we going to be
2 able to get the workers that we needed? Would the
3 contractors stay focused on it?

4 I am happy to report that we are doing
5 almost every bit as well as Morgan Hall and
6 perhaps even exceed the Morgan Hall numbers by the
7 time we are done. We are currently at about
8 32.7 percent of our workforce as a minority. A
9 little under 2 percent are women. Our goals are
10 32 and 7. Philadelphia residents represent
11 38 percent of the workforce. And our local
12 community represents about 6.6 right now of that
13 workforce. In terms of economic impact, that's
14 right now about \$400,000 salary and benefit impact
15 to our local neighborhood.

16 We expect these numbers on the SERC to
17 start moving up much like they did on Morgan Hall.
18 As the project begins to close in, we see more
19 trades on the job. We will see the painters.
20 We'll see the glazers. We'll see more
21 electricians. We will see a more diverse group of
22 trades on the project that will allow us to
23 provide -- first of all, ramp up our numbers of
24 employees working which will allow us to drive

1 those diversity numbers hopefully even higher than
2 where they are today.

3 What are some of the key tactics we employ?

4 I think I have to begin with a clear commitment
5 from the University that we were going to meet or
6 exceed these goals. That's something that's
7 important to us. One thing we talk about a lot is
8 the local neighborhood, finding ways to employ
9 people who are in the area and giving them those
10 opportunities.

11 All areas of the University are committed
12 to this from our government community affair staff
13 to my team of Construction Facilities and
14 Operations but also our project managers on the
15 various projects who are an extension of Temple.
16 In the case of Morgan Hall, with AEGIS Property
17 Management. In the case of the Science Education
18 Research Center is Turner Construction. They have
19 to understand as clearly as the people that work
20 for Temple that there is a commitment that we
21 expect them to hold the contractors accountable,
22 to work with the contractors. That we expect to
23 see a very diverse workforce on that site. We
24 expect to see them live up to their commitments

1 for minority and women-owned participation.

2 We also have a lot of partners along the
3 way that I think were critical to the success and
4 will continue to be critical to our success.
5 Certainly, we had contractors who were willing to
6 work with us. That was key.

7 We also have a -- we also have the services
8 of PALM BUILT-RITE and Tony Wigglesworth team
9 working with us on each of our projects dealing
10 with day to day trade issues and jurisdiction and
11 safety, but also helping us find a diverse
12 workforce and giving us a direct route to trades
13 themselves of when we see numbers that aren't
14 satisfactory to the university and are not going
15 to take us in a direction to meet the requirements
16 that we have for the project.

17 Certainly, we have -- you know, we're
18 fortunate to have gentlemen like Pat Eiding from
19 AFL City of Philadelphia on our Board of Trustees
20 who monitors this type of thing and is helpful,
21 provides input, advice, encouragement on all
22 levels. But also the active participation of the
23 trades on our Oversight Committee in attending
24 meetings, understanding what issues are, being

1 able to help us with discussion both at the
2 meeting or if it's a side bar after the meeting in
3 an area perhaps where we need a little bit more
4 attention to focus.

5 While we have regular EOP Oversight
6 Committee meetings, I think about once a quarter
7 or maybe a little bit longer than that we also
8 have internal meetings that meet about every three
9 weeks. Where PALM representing the trades, our
10 project managers, our inhouse staff, the Urban
11 Affairs Coalition, we get together and we go over
12 data and we ask ourselves how we are doing on each
13 project. It's not just having the EOP Oversight
14 Committees, but there's that attention paid, a
15 session that I generally attend, to get a report
16 from the staff on how we are doing.

17 The other partner we had was Baker and
18 Company. They helped us with outreach to the
19 local neighborhood in actually running an intake
20 center at one point where people could come
21 wherever the job opportunities are on each of the
22 sites, get directed to the appropriate trades for
23 potentially apprentice programs. If they were
24 already in the trade, those names and information

1 was made available to the contractors on site to
2 our project managers and also to Temple itself.
3 One of the things we were able to do when we
4 opened Morgan Hall was we had opportunities open
5 up in our operations group for work in security,
6 work in housekeeping, work in grounds. We had
7 just ten positions open up, but we hired all ten
8 of those positions from the local neighborhood. A
9 lot as a result of the intake work that was being
10 done by Baker.

11 Another important partner is the Urban
12 Affairs Coalition. They're our numbers counters.
13 They're the one who send us that report every
14 month and we open up and we see how we are doing
15 and also come to that internal meeting to, you
16 know, go over the data with us, understand where
17 there is problems, which contractors are perhaps
18 having challenges. And they -- they're working
19 with our project managers probably on a weekly
20 basis, might even on a daily basis to identify
21 those types of problems.

22 Our key activities as I see them were
23 really working at -- in the area of diagnostics.
24 While we had all this information coming in, we

1 had the projects operating and we knew we were
2 achieving -- we are moving on our way to the
3 goals, it's important for us to constantly be
4 diagnosing the data and talking to the field and
5 talking to the contractors about what was
6 changing, perhaps what we need to change along the
7 way.

8 I think another important element of our
9 program is our transparency. Our -- you know,
10 certainly the Oversight Committee is an important
11 aspect of that. But, you know, sending our
12 monthly data every month to the City but also
13 publishing it on our website. So if people do
14 have questions about how you're doing, it's based
15 on more than I walked by the job site and I
16 really -- I didn't like what I saw. Well, here is
17 the actual results. Here's how we are doing. You
18 can take a look at it. If you want to come in and
19 get the reports, stop in. It's available to you.
20 We really have nothing to hide. It's a
21 transparent process.

22 And then also the focus of all parts of the
23 organization. You know, I talk to a lot of groups
24 about this. This is something that the President

1 is briefed on. It's something he's part of
2 understanding how we're doing. And actually, it's
3 part of something our Board of Trustees Facilities
4 Committee is briefed on every time we have an
5 update on a construction project. Part of that
6 briefing is not just how is the schedules? How is
7 the budget? Who are the contractors? What are
8 the challenges, but how are we doing on MBE and
9 WBE participation? They are holding all of us
10 accountable for achieving the results that we all
11 want to have.

12 Very quickly to conclude, what is next for
13 us? Building on that record, where do we go? We
14 are going to have a little bit of a lull on big
15 construction once the science building is done
16 until our library project starts. But you know,
17 we have to keep the focus on maintaining the
18 commitment on the Science Education Research
19 Building to make sure we close that out very
20 strong.

21 We need to continually get better in
22 finding workers in our local neighborhood. That
23 is something that sounds like it ought to be easy.
24 It's not as easy as it sounds. We are using all

1 types of resources to do that down to even some
2 people in the neighborhood who are involved in the
3 trades meeting with us on a somewhat regular basis
4 to just say here are some people who are out
5 there. Let's get them matched up. Let's see if
6 there is an opportunity. Let's see if they want
7 to come to work on this project.

8 We also saw that our participation by
9 Hispanic Americans and Latino Americans is lower
10 than I think we'd like to see to reflect the
11 diversity that's changing here in the City of
12 Philadelphia. That's something that we are going
13 to continue to pay attention to and continue to
14 push our partners in the trades to help us with.

15 And I think we all have to together solve
16 the issue of how we increase the female
17 participation levels. I think having it at
18 7 percent is a very high goal for all of us.
19 Knowing going in you're probably not going to be
20 able to achieve it is necessarily stretch goals,
21 but it's great. But when they are stretch beyond
22 belief goals, it's probably a little bit high. I
23 think maybe in the future we need to look at that
24 and say, well, is 7 percent being a little too

1 aggressive and you're setting yourself up for
2 frustration. However, it does keep you focused on
3 it.

4 And we are working with PALM BUILT-RITE to
5 look at how can Temple participate with the
6 YouthBuild Program? How can we participate with
7 the high schools?

8 We had a meeting the other morning and
9 we're talking about perhaps having some of the
10 students in that YouthBuild Program come in and
11 shadow Temple University trades people, the
12 electricians, plumbers, painters, general
13 engineers so they can begin and hopefully become
14 like mentor-type relationships and they can see
15 the value. And a lot of those plumbers and
16 electricians come from Philadelphia, come from the
17 local neighborhood which is even more valuable so
18 they can serve as great role models for a lot of
19 these students to show them there is a future in
20 going in this direction.

21 We also need to look at how we improve what
22 I call the split between skilled workers and the
23 laborer side of the workers. The split on the
24 Morgan Hall Project was almost 71 percent towards

1 the laborer side. The other side is the skilled.
2 It's starting to shift just a little bit the other
3 direction for the Science Project. But that is
4 something that we just need to continue to ask
5 questions of our contractors as they come in on
6 the electrical side and the plumbing side to make
7 sure that they are not just making it the laborer
8 who is coming on to sweep up the floor and dump
9 the garbage but that it is electricians. It is
10 plumbers and it is masons, et cetera.

11 Temple has made the creation of a diverse
12 workforce of our local community a major part of
13 our projects. It's not nothing something that is
14 an aside. It's something that's the heart and
15 soul of our projects. We hope to build on the
16 success of Morgan Hall, learn a lot from it and
17 continue to provide opportunities that impact
18 minority women and particularly our local
19 neighbors in -- in the -- in the so-called ZIP
20 codes around our various facilities.

21 So thank you very much for the opportunity
22 to come in this morning. Thank you very much for
23 your advice and guidance over the two years that
24 I've been at Temple. And I'm happy to answer any

1 questions that you might have.

2 MS. DOWD-BURTON: Well, I thank you very
3 much for your testimony. It certainly covered the
4 waterfront, a lot of what I've seen and witnessed
5 during the Oversight Committees. And I thank you
6 for summarizing it here for our public
7 consumption.

8 Steve, questions?

9 MR. BRADLEY: I thought it was very
10 comprehensive report. My question focused on the
11 next steps. I like the two items you mentioned as
12 far as really focusing on the neighborhood and the
13 Hispanic community trying to reach out.

14 Can you give any specific programs or
15 anything? You talked about YouthBuild. Do you
16 have anything down the line over the next 12 to 24
17 months?

18 MR. CREEDON: Well, YouthBuild, I think,
19 will hopefully touch the Latino community as well
20 as the young women who are looking at
21 opportunities within the trades. Interestingly, I
22 think our Latino outreach is going to be a
23 little -- won't necessarily be a program. Is
24 going to be a little bit more personal.

1 We have a few individuals from our local
2 neighborhood who are Latino who are in the trades.
3 I think they both are electricians, as a matter of
4 fact, who -- who are helping us identify what some
5 potential workers are and, you know, from their
6 network of people who live there, who they have
7 been with other projects.

8 MR. BRADLEY: Have you tried any career
9 fairs targeting younger audience?

10 MR. CREEDON: You know, we do some career
11 fest -- festival type things with Temple. A lot
12 of our contractors do that. It's difficult for us
13 to go out because we are not really the ones doing
14 the hiring. And we -- because we don't -- because
15 of the -- we don't hire as many people, we don't
16 want to place ourselves out there as the ones
17 doing the hiring.

18 I found the approach particularly in the
19 Latino side of things is going to require almost
20 one on one type work. And then, hopefully the
21 contractors will see what we're looking for. They
22 will see that there's a strong reliable workforce
23 in the Latino community that they will then use on
24 some of their other projects, and we'll build from

1 there.

2 MR. BRADLEY: Thank you.

3 MR. CREEDON: You're welcome.

4 MS. DOWD-BURTON: I will acknowledge the
5 7 percent goal for women has been one that a
6 number of project owners and contractors have
7 struggled with. We are looking at the
8 demographics as much as we can in terms of the
9 data that we have available to us. And we will be
10 certainly giving a closer look at that number.

11 We have seen few project owners exceed the
12 goal. I think we're going to talk about one
13 project where we actually came very close if not
14 in line with that. But that is an exception as
15 opposed to the rule.

16 So once again, thank you so much for your
17 effort. Thank you for being here today. We
18 certainly appreciate all that Temple does in the
19 area of inclusion.

20 MR. CREEDON: Okay. Thank you very much.

21 MS. DOWD-BURTON: Thank you.

22 Now it is my pleasure to welcome Mr. Angelo
23 Perryman. He is the Chair of the Mayor's Advisory
24 Commission on Construction Industry Diversity, the

1 President and CEO of Perryman Building and
2 Construction Services.

3 Mr. Perryman, welcome.

4 MR. PERRYMAN: Good morning. Good morning.

5 MS. DOWD-BURTON: Good morning.

6 MR. PERRYMAN: Good morning.

7 I offer my -- I am going to jump right into
8 it.

9 MS. DOWD-BURTON: Absolutely, please.

10 MR. PERRYMAN: You know, I offer my
11 appreciation to Mayor Michael Nutter for his
12 leadership in creating this Economic Opportunity
13 Review Committee. Your work is much appreciated
14 and translates beyond this room.

15 Chairwoman and Committee Members, my name
16 is Angelo Perryman, Chairman of the Mayor's
17 Commission on Construction Industry Diversity
18 humbly called MACCID. Our commission is a 17
19 member panel representing industry-based owners,
20 architects, trade organizations, organized labor
21 and a brain trust of individuals experienced in
22 manners of minority business development.

23 Our mission is to understand the
24 Philadelphia construction marketplace, compare

1 public, private, procurement practices and
2 recommend strategies to improve access to
3 opportunity for new and maturing minority
4 businesses and for diverse workforce.

5 We've had some successes. We have begun to
6 make progress in the minority business contract
7 community through the following. The Office of
8 Economic Opportunity staff under the leadership of
9 the Chairwoman Mrs. Angela Dowd-Burton has worked
10 to align approved principles of day-to-day
11 operations including regular communications of
12 update to the business community. More
13 importantly, reconfirming the message of inclusion
14 to City of Philadelphia department managers. And
15 I should also say the public procurement practices
16 are now reflecting similar results as the private
17 sector. From years before, that is a major
18 accomplish for the City of Philadelphia to now
19 consider itself a part of the baseline or
20 foundation of procurement for construction in
21 Philadelphia.

22 Number two, in addition, end users have
23 benefitted from the initiatives like the City of
24 Philadelphia's Contractors Training Program.

1 Goldman Sachs Ten Thousand Small Businesses
2 Program, which is designed to assist new and
3 developing businesses with business techniques.
4 And I should also give kudos as well to PIDC for
5 their Loan Guarantee Program which offers short
6 term working capital.

7 The information presented provides our
8 Commission insights on ways to be inclusive in our
9 current marketplace and identify markets for
10 inclusion that are not currently saturated. Many
11 proactive recommendations have been pushed back.
12 We have gotten some push back and had some
13 reluctance on the ability to initiatives to
14 succeed -- or new initiatives to succeed.

15 Philadelphia is a city of untapped
16 potential, and we have offered a good faith effort
17 to recommend best practices and present
18 progressive ideas on improving on issues of access
19 to opportunity, competitiveness and financial
20 support for businesses. As Chairman of this
21 Commission, our goal was to leave a thoughtful
22 review of the construction project process from
23 the inception by the project owners to the
24 design -- through design development and finally

1 in the construction of projects in the field. So,
2 with that, I'd kind of like to address some of the
3 questions that are always brought up in this
4 issue.

5 What is the role of the owner/developers in
6 the question of economic inclusion?

7 It is our recommendation that each market
8 sector -- educational, medical, pharmaceutical and
9 other industries -- that are now considered as
10 stakeholders in Philadelphia create an inclusion
11 round table with objectives similar to the Billion
12 Dollar Round Table, which is a national
13 organization sensitive to the growing trends of
14 population and business evolution. This is a
15 great organization to -- that has acknowledged the
16 need for diverse workforce as well as the
17 transitioning of workforce into businesses and
18 their future growth.

19 The incentives -- and what we would like to
20 see as well is that there be an incentivized
21 growth opportunity for preapproved minority first
22 tier and prime contracting.

23 Secondly, we would like to see development,
24 a competition, if you will, within those industry

1 classifications that allow those in like
2 industries, if you will, educational, to learn
3 from each other, to eliminate barriers to minority
4 businesses of means to access because they will
5 understand the marketplace of educational
6 institutions or medical or pharmaceutical
7 institutions. That they would then -- those
8 businesses would then grow stronger because there
9 is no loss of understanding what the end user
10 needs.

11 It is also recommended that owners and
12 developers structure bidding zones based on
13 business size and project complexity with specific
14 focus on first tier minority subcontracting and
15 prime contracting opportunities. We have
16 consistently seen that smaller projects are being
17 bid and won by large, large firms which this
18 should not be within their typical operating zone.
19 Those are the types of impacts that take away the
20 potential growth of the new businesses we are now
21 creating and especially harm those mature minority
22 businesses that have now gotten beyond first phase
23 introductions.

24 To ensure that new businesses will have the

1 potential to succeed going forward, it is our
2 recommendation that a study of the Philadelphia
3 marketplace be adopted. And to that end, have --
4 let me repeat that so I can make sure I say it
5 clearly.

6 To ensure that new businesses will have the
7 potential to succeed going forward, it is
8 recommended that a study of the marketplace
9 ability to accept new vendors be completed by the
10 City of Philadelphia Office of Economic Efficiency
11 and organizations or stakeholder organizations
12 such as the Greater Philadelphia Chamber of
13 Commerce, the Hispanic Chamber of Commerce,
14 African-American Chamber of Commerce and other
15 chambers of commerce to ensure that we are
16 conscious of access to opportunity.

17 Within every project design it is also
18 suggested that each owner/developer appoint a
19 procurement ombudsman and/or architect to advocate
20 for minority business opportunities. We are truly
21 focused mainly on businesses that do or have a
22 specific trade that they perform on a daily basis.
23 We do not look at the subcontracting model as a
24 first option. It is those businesses that perform

1 a specific trade or our general contractor is
2 construction managers that have capabilities of
3 overseeing whole projects.

4 What is the role of minority businesses in
5 the question of economic inclusion?

6 One of the areas our Commission has
7 listened with great sensitivity are the impacts to
8 continued growth of mature minority businesses
9 that have seasoned operations and management
10 staff. The focus of our testimony is driven
11 towards developing a middle market business that
12 represents typical Philadelphia owned,
13 Philadelphia businesses and their span. With the
14 strengthening of a middle market, Philadelphia
15 will be more competitive.

16 This will be achieved through the following
17 recommendations. We believe that we need to
18 expand our base of access to the construction
19 industry. For example, small residential, large
20 group residential, small commercial, larger
21 commercial, energy efficiencies, these are all
22 segments of our economy that what we keep finding
23 is the narrow component of our workforce and
24 business sector are feeding a small narrow set of

1 opportunities. There are more places for them to
2 grow.

3 For those minority contractors who are
4 stronger and have reached maturity, it is
5 recommended we strengthen our growing number of
6 first tier and prime contractors. These
7 businesses have immediate needs for professionally
8 educated estimators, project managers,
9 superintendents, architects and engineers.

10 Are joint ventures the best way to achieve
11 minority business capacity?

12 We have seen results that actual ownership,
13 when there is actual ownership and direct
14 participation of minority businesses, can aid in
15 the achievement of minority goals in the middle
16 market development primarily in the middle market.
17 Minority business have completed their business
18 apprenticeships and path to the next level growth
19 remains. The business segment remains a
20 distress -- this business segment remains a
21 distressed part of the construction industry and
22 the economy in Philadelphia locally. Whether by
23 design or restructuring, we must create a public
24 private procurement effort to support these

1 businesses. We must try new ideas that provide
2 results beyond percentage goals. Most owners and
3 most operators, most developers always want to
4 have the least amount of risk.

5 But in closing, progress always involves
6 risk. You can't steal second base and keep your
7 foot on the first base.

8 Thank you.

9 MS. DOWD-BURTON: Thank you very much,
10 Mr. Perryman.

11 MR. PERRYMAN: I'm available for questions
12 if you have any.

13 MS. DOWD-BURTON: Steve?

14 MR. BRADLEY: No, I'm good.

15 MS. DOWD-BURTON: Well, my comment is you
16 said a lot. And so, we are going to take some
17 time to really reflect on your testimony.

18 One of the areas that you touched upon,
19 though, that you and I have talked about before is
20 the small business model. And that's one that we
21 are looking at and awaiting a small business model
22 to be adopted by the Airport. We will certainly
23 take a close look at that model in terms of its
24 applicability and adaptability to the City's

1 operations. But I think that is part of the core
2 of what you are proposing in terms of moving
3 businesses forward and developing that middle
4 market that you mentioned.

5 MR. BRADLEY: Excuse me. I want to ask one
6 question. You recommended the study of the
7 Philadelphia marketplace.

8 Who do you think would be the best players
9 to participate in that study? Do you think that
10 should come from the City? Should come from the
11 private sector? I like the idea of studying the
12 marketplace because it's consistent with what
13 Angela just stated. But it's important that when
14 you do studies, that you have the right people at
15 the table so that the takeaway is beneficial and
16 not just a report that somebody puts in a file
17 cabinet.

18 What's your recommendation? Who are the
19 major players that would be a part of the study?

20 MR. PERRYMAN: That's a very good question.

21 Well, first and foremost, the belief of
22 anyone going into business is that they believe
23 that the opportunities exist. So I start first
24 with the Chambers of Commerce because they are

1 representatives of the end users and those in
2 need, our construction services. I would start
3 first with those members of our City that
4 represent the businesses that need something.

5 And what we hope to be able to eliminate by
6 even having a study of that type -- because if you
7 take in consideration that 10,000 -- the Goldman
8 Sachs 10,000 Businesses, to a larger degree, those
9 are considered as businesses maybe not at maturity
10 yet. And we can also look at the contractors
11 program. Those businesses are considered as not
12 at maturity yet.

13 And what we are concerned about is that we
14 are filling a market of potential suppliers that
15 really may struggle to survive even though we have
16 increased numbers. So to that end, if we know
17 that there is a supplier -- for example, if a
18 study comes back to say we have a supply, we have
19 a need, now we can begin to look at the whole
20 market and recommend how it should respond from
21 a -- from a top-down vision, it may be too many
22 large businesses. And that -- those large
23 businesses are now starting for their survival to
24 throw the market out of skew.

1 It is -- it's one of those critical moments
2 that you get a chance to say, you know, I think we
3 may have built too much capacity. And then we
4 will be in a position then to talk about how do we
5 save businesses that have the right stuff through
6 mergers, acquisitions. Should we then now limit
7 the number of joint ventures because it's more
8 important that we strengthen the businesses that
9 can do work directly.

10 You can get to make those decisions now as
11 far as policy driven initiatives that get a
12 workforce fully engaged.

13 MS. DOWD-BURTON: I guess, the only
14 question I have there is do you think the market
15 would -- is, in fact, self correcting?

16 When you look at competition within the
17 marketplace, those who survive will have the
18 tools, the skills, the access to opportunity
19 business relationships that gets you to the final,
20 I guess, marketplace in terms of survival and
21 profitability. So having an office that defines
22 whether or not we've met that goal yet and
23 determine which companies to support is -- would
24 be challenging for the Office of Economic

1 Opportunity to play a role in that.

2 MR. PERRYMAN: Well, it's -- it's -- it's
3 not a matter of which businesses do you support;
4 it's which policies of procurement do you support.

5 MS. DOWD-BURTON: Okay. Got you.

6 MR. PERRYMAN: In the process that we are
7 now doing, we are -- we are trying to encourage
8 through goals and employment and goals and
9 business opportunities an end objective. But what
10 we clearly don't want to do is throw the market
11 out of skew and take away the true competitive
12 nature of a market that is competing.

13 It may be that we find from the study that
14 there are influences that are making winners and
15 losers. And where that may be the case, this is
16 an opportunity to acknowledge it, to look at it
17 and say is this competitive? Is this good for the
18 region? Is this something that we want to
19 continue to stand by and not speak to?

20 MS. DOWD-BURTON: Okay. Understood.

21 MR. PERRYMAN: It is critical to me that in
22 order for businesses that have reached that
23 maturity, those are the businesses that represent
24 the taxpayers and sound community-based

1 representatives that we need as stakeholders.
2 There have been many suggestions on how that
3 should be done. But first and foremost, it should
4 be based on competition. It should be based on
5 fair competition.

6 What you run into many times is that most
7 owners want the best price but not at a lost
8 leader. We can't support a best price using a
9 lost leader approach. So, we don't want to have
10 businesses being in a, you know, competitors
11 creating an environment where they virtually shut
12 the air off from another segment of the economy.
13 We need them all.

14 MS. DOWD-BURTON: Understood. Understood.
15 Okay.

16 MR. BRADLEY: Thank you.

17 MS. DOWD-BURTON: Thank you very much.

18 MR. PERRYMAN: Thank you.

19 MS. DOWD-BURTON: And of course, we look
20 forward to working with MACCID in the future. We
21 certainly will get a lot more clarity in terms of
22 the content of the study. We will work with the
23 members of the OEO Advisory Board as well in this
24 area.

1 MR. PERRYMAN: Thanks.

2 MS. DOWD-BURTON: Thank you. Okay. I'm
3 looking around. I do not see Peter Speaks here.

4 So, we will move into City of Philadelphia
5 Water Department where we have Dr. Christopher
6 Crockett, Deputy Water Commissioner; Paul Kohl,
7 Biogas Project Manager; and Janira Barroso,
8 Director of Participation. It's certainly a
9 delight to have you here having served on the
10 Oversight Committee and looking at some of the
11 results you generated with your team. We are very
12 proud of this project. And certainly, it's a
13 great one that we have sort of cut the ribbon on,
14 I guess it's two weeks ago now.

15 Thank you for being here.

16 DR. CROCKETT: Thank you. Thank you
17 Executive Chair Dowd-Burton. And I want to thank
18 the Committee for allowing us to come here today
19 to talk and share our success about the
20 Philadelphia Water Department's Northeast
21 Cogeneration Facility Project.

22 I also want to state that we did provide
23 written testimony on this.

24 MS. DOWD-BURTON: Yes.

1 DR. CROCKETT: So in the interest of time
2 and to not bore people with some of the details of
3 cogeneration and avoid an ener -- an energy and
4 engineering lecture today, I'll try to summarize
5 some of the things that are pertinent to the
6 Office of Economic Opportunity and the Committee.

7 MS. DOWD-BURTON: Okay. Thank you.

8 DR. CROCKETT: So, good morning. Again, I
9 will thank the Chair and Committee Members for
10 allowing us to be here and share about the
11 Northeast plant. With me we have mentioned is the
12 Biogas Cogen Project Manager Paul Kohl and our
13 Janira Barroso, our Director of Participation at
14 the Water Department.

15 At the Water Department, we are committed
16 to helping long term growth of market
17 opportunities for minority women in stable
18 businesses. And we continue to drive that
19 participation in our contract. I am pleased to
20 report that with the assistance of the Office of
21 Economic Opportunity, PWD continues to make
22 progress towards our commitment to increasing
23 meaningful equitable business participation.

24 The Northeast Biogas Cogen Project is a

1 public private partnership between the Water
2 Department, Ameresco and the Bank of America for
3 capital leasing. This project will generate both
4 thermal energy and electricity and used --
5 basically, when used on site will stop flaring
6 that light that you see burning along I-95 in the
7 Northeast. And that gas will now be used to
8 generate the heat and electricity needs which is
9 the equivalent of 85 percent of our annual
10 electricity usage.

11 In one project, this is 12 percent of the
12 Water Department's total energy usage as an entire
13 organization city wide. So, it's a huge project
14 for us. And it takes us one step closer to moving
15 away from the old stigma of the Waste Water Plant
16 to the Resource Recovery Facility of tomorrow
17 which is what we see -- where we see these
18 facilities moving.

19 This project is a 47 and a half million
20 dollar project, and it will generate 5.6 megawatts
21 of power. The project is being led by Ameresco as
22 the developer, AP Construction as the general
23 contractor and AECOM as the engineer of record.
24 When this project was started, an economic

1 opportunity plan was included to set minority and
2 women business participation goals. And most
3 importantly, established an oversight committee
4 which we feel was key to keeping this project on
5 track to meeting its goals.

6 The committee -- the oversight group met
7 monthly and included members and city officials
8 including Ms. Dowd-Burton, Mr. Akbar from
9 Councilman Goode's office, a number of
10 representatives from the Water Department, from
11 Ameresco and AP Construction and their
12 subcontractors in order to have monthly dialogues
13 and track the progress of where we were. And the
14 great thing about this is we achieved 44 percent
15 participation which was -- exceeded our EOP goal
16 of 40 percent. We had 32 percent participation of
17 minority journeyman, 54 percent minority
18 apprentices, 86 percent local apprentice and 7
19 percent female journeypersons, which we -- we
20 believe is a new record here for the City for a
21 project.

22 So, we met for 16 months, which wasn't
23 easy. And everyone had to put a lot of time and
24 commitment into making those meetings and reading

1 all the information. And everyone did that. And
2 it was really -- really what I believe was the key
3 to success here for the project.

4 While we didn't stipulate a local
5 participation in the EOP for the workforce, we met
6 those goals. The unofficial goal we had was
7 50 percent but we achieved 85.9 percent for local
8 apprentice hours and 33.94 percent for local
9 journeymen. Being engineers, we like our decimal
10 places.

11 PWD is exceeding both our minority
12 journeymen and apprentice hours. Our minority
13 journeymen hours were 32.17 percent. Our goal was
14 32 percent. Our minority apprentice hours were 54
15 percent, which our goal was 50 percent. We met
16 our female journeyperson's goal, an achievement we
17 are very proud of, with 7 percent -- 7.19 percent,
18 and our goal was 7 percent, so we exceeded that
19 slightly.

20 Construction is now complete.
21 Ms. Dowd-Burton was at the ribbon cutting where we
22 turned the engines on. The engineer procured
23 construction contract mechanical completion date
24 was September 19, 2013. The lease was initiated

1 on September 25. Substantial completion is set to
2 be achieved this Friday, December 13. This
3 milestone will initiate the next phase of the
4 project will be -- which will be a maintenance
5 component. And we will continue our commitment to
6 diversity. And we work with the Office of
7 Economic Opportunity to ensure that we meet these
8 needs during the facilities maintenance phase.

9 I welcome the opportunity to speak with
10 Members of the Economic Opportunity Review
11 Committee further about this initiative. And we
12 are more than welcome to field any questions you
13 have at this time.

14 Thank you very much.

15 MS. DOWD-BURTON: Thank you very much.

16 Steve.

17 MR. BRADLEY: I just want to commend you on
18 the excellent numbers. You should be commended
19 for your success.

20 DR. CROCKETT: I think the whole oversight
21 committee shares that success. It really was
22 broader than just the Water Department. We had to
23 thank those folks that were there.

24 MS. DOWD-BURTON: I will acknowledge your

1 silent partner, Charisse Price who is not here.
2 Who is the monitor on this project who kept
3 pushing, pushing, pushing and certainly supported
4 all of you and the contractors in saying where are
5 the women, we need women on this project.

6 And so, you certainly did break a record.
7 This is the first project where I actually have
8 seen women at 7 percent. So, we appreciate that
9 effort.

10 MR. BRADLEY: Well done.

11 MS. DOWD-BURTON: Certainly, the local and
12 the minority inclusion was extremely well done.
13 And I want to acknowledge Janira Barroso who moved
14 from the Office of Economic Opportunity over to
15 the Water Department which really demonstrates
16 your focus and certainly your priority of ensuring
17 participation within your operations.

18 So, thank you.

19 MS. BARROSO: Thank you, Angela. It is
20 important for us to, you know, continue moving in
21 a direction that we envision for, you know,
22 inclusion all access to contracts.

23 MS. DOWD-BURTON: Thank you. And
24 certainly, Paul, who is always -- always there and

1 who has shown up at number of our outreach events
2 to talk about opportunities with the Water
3 Department. So, Paul, I want to acknowledge you,
4 as well.

5 MR. KOHL: Thank you.

6 MS. DOWD-BURTON: Dr. Crockett, you got a
7 great team. And you can tell your Commissioner
8 Howard Neukrug which is on the front page of
9 Sustainability Magazine with the Superman outfit,
10 that we know what his secret is, and it's you as a
11 team. We appreciate that.

12 DR. CROCKETT: We really hope this is one
13 of many successes to come in terms of
14 participation for the Water Department on our
15 projects.

16 MS. DOWD-BURTON: Absolutely. We do expect
17 you to come back with reports on other projects
18 that you have going on. We know you have some
19 with project labor agreements. And so, these are
20 major projects that we are keeping an eye on, as
21 well.

22 One of the things we are going to do is ask
23 you to sort of stay. I know we have a bit of
24 testimony from Mr. Masters here. He has inquired

1 and would like to speak just for a moment on the
2 water treatment chemicals. And maybe if you sort
3 of tell us what you've done in the area of
4 evaluating and assessing the six companies that
5 were proposed and how we have worked together with
6 Procurement, the Law Department and OEO to address
7 his recommendation, that would be helpful.

8 DR. CROCKETT: Yeah. We are always
9 interested in the department increasing the
10 diversity of our chemical suppliers. And one of
11 the things that we wanted to -- we have started
12 doing working with the Office of Economic
13 Opportunity, there were five or six suppliers that
14 we were given information about from the Office of
15 Economic -- recommended to us.

16 We reached out to all those organizations.
17 And we actually have received responses from two
18 of them and scheduled meetings in January with
19 them. They're TRICOM and BKM. And we've also
20 provided written response with all of our action
21 items to the Office of Economic Opportunity to
22 improve the diversity of our business suppliers.
23 And we are going to continue to work with OEO and
24 Procurement to continue to bring that

1 participation around.

2 MS. DOWD-BURTON: Thank you. I am aware
3 that you scheduled -- you scheduled at least one
4 meeting in January and you are attempting to
5 schedule another between TRICOM and BKM.

6 MS. BARROSO: We have confirmed on the
7 second. And it will be in January, as well.

8 MS. DOWD-BURTON: Okay. Excellent. And we
9 have, in fact, been able to incorporate those
10 companies who were interested in being in the OEO
11 registry. They are in the registry. So, the
12 participation credit for their inclusion would be
13 acknowledged once they have received a contract
14 award. In which case, they would have to bid on
15 it. We have also worked with the Procurement
16 Department who have also added BKM and TRICOM to
17 the bidders list. And I know that Procurement has
18 reached out to the other companies and have not
19 heard back from them yet, as well.

20 So anything else you want to say on the
21 water treatment chemical piece? If not, we'll --
22 we'll wrap it up.

23 MS. BARROSO: The only additional
24 information is that the next go around for the bid

1 will be in Fiscal Year 2015. So, you know,
2 bidders should be well aware and prepare to submit
3 their bids. Of course, you know, we follow an
4 equal access type of procurement process which
5 is -- will be stipulated in the bidder specs.

6 MS. DOWD-BURTON: Okay. As I understand it
7 also, the Water Department does not prequalify
8 suppliers. But you're extending this outreach to
9 those companies specifically because we are very
10 much interested in inclusion, so I appreciate
11 that.

12 DR. CROCKETT: And we're excited because
13 the more people that bid, the better prices we
14 get.

15 MS. DOWD-BURTON: Absolutely.

16 DR. CROCKETT: And this is a big, big
17 ticket for us. We are really interested in
18 getting better competition.

19 MS. DOWD-BURTON: Okay. Thank you very
20 much.

21 MS. BARROSO: Thank you.

22 DR. CROCKETT: Thank you.

23 MR. KOHL: Thank you.

24 MS. DOWD-BURTON: Mr. Masters. Steve

1 Masters, Esquire of Just Laws, LLC.

2 Good morning.

3 MR. MASTERS: Good morning, Chair

4 Dowd-Burton, Mr. Bradley, Steve Masters, the
5 principle attorney at Just Laws.

6 I appreciate the opportunity to be before
7 you today and to follow up on the work that we're
8 doing around the water treatment chemical contract
9 and the great timing that the Water Department was
10 just here and able to address that. That's very
11 appreciated.

12 When we testified last at the last
13 quarterly meeting and then at the oversight
14 committee for Councilman Goode's committee, the
15 only point that -- that wasn't addressed in your
16 conversation with the Water Department just now
17 was around the possibility of reopening the second
18 year of the current water treatment chemical
19 contract so that we could get participation ranges
20 a year earlier than the national course of the
21 contract.

22 So, I wanted to just -- the reason I'm here
23 today is really to check in and to see. And I'm
24 pleased to hear that the progress is being made.

1 But I really didn't know about the progress, so
2 I'm very happy to hear that news.

3 MS. DOWD-BURTON: Sure.

4 MR. MASTERS: And to check in with you to
5 see what you think can be done. If it can bring
6 the time table -- if we can hasten the time table
7 for participation on those contract and get this
8 contract reopened on the second year and rebid it
9 basically?

10 MS. DOWD-BURTON: Yes. I think the
11 challenge that we had when the bids were -- prior
12 to the bids being received earlier this year was
13 having the companies that you were aware of whom
14 may have been interested in the bids to
15 participate in that bidding process. As they did
16 not participate in that bidding process, they have
17 subsequently been added to the registry.

18 MR. MASTERS: Right.

19 MS. DOWD-BURTON: They are now in the
20 bidders list. They will be invited to bid on
21 future contracts. The contracts that are
22 currently in place for the Water Department were
23 based on a financial evaluation of two years of
24 pricing. And so, what we'd be -- what you're

1 asking us to do basically is to breach the second
2 year of the contract in order to ensure
3 participation.

4 Right now of the six companies that you've
5 recommended, two of those six that have been --
6 that we have reached out to, the Water Department,
7 the Procurement Department, only two have
8 responded. We will be meeting with them in
9 January just to have a better understanding of the
10 position of those two in terms of their interest
11 in doing business with the City and their capacity
12 and capability.

13 So until we actually have that meeting,
14 we're not in a position to -- to make any
15 decisions or proposals with regard to ending a
16 contract with suppliers that are working well with
17 the City right now.

18 MR. MASTERS: So, I would take exception to
19 your description that I'm asking you to breach a
20 two-year contract. Because it's clearly -- if it
21 was a two-year contract, then City Council would
22 have to approve this contract. It's a one-year
23 contract. And it has a provision to be renewed
24 for an additional year.

1 It's true that the bids required each
2 vendor to state their prices for year one and year
3 two. But the contract that was signed with the
4 City was only a one-year contract.

5 So, the issue that I'm bringing to you is
6 that since it's a one year contract and it has a
7 clause that allows the City to renew it but it's
8 not mandated that the City must renew it, the
9 question is can we rebid this contract after the
10 first year? Because now that we know that there
11 are companies that could provide minority or women
12 owned, you know, ownership into the bid mix.
13 Certainly, we could require all of the prime
14 majority owned vendors to -- to include as
15 subcontracts some of -- some or all of these
16 identified companies.

17 I think it's possible. I think it's
18 very -- I'm not sure how likely you would be able
19 to assess how more likely it is. But I think it's
20 important just to say that we are not talking
21 about a two-year contract that we are trying to
22 break after -- in the middle of this; otherwise,
23 City Council would have had to approve it.

24 That's the way it works, right? City

1 Council, as you know, had legislation recently
2 that was trying to insert itself into -- into the
3 contract process in a way that hasn't been done
4 before. And as it stands, City Council has no
5 role in these contracts because they are one-year
6 contracts.

7 The two companies -- before I arrived
8 today, wasn't aware of which companies had
9 responded and which companies had not. The two
10 companies that you mentioned are the regional
11 companies that may not have as much capacity to
12 perform on this contract as the three global ones
13 that I identified that were based in Texas and
14 Illinois and Wisconsin. I am happy to follow up
15 with those because I think those are going to give
16 us a lot more potential to really open up this
17 contract to inclusion.

18 BKM and TRICOM are regional companies that
19 have provided water treatment chemicals to
20 municipalities around a region. One of them, I
21 believe, is in Maryland. One of them is in New
22 Jersey. But I don't -- and I don't know exactly
23 how many chemicals out of the extensive list that
24 our Water Department requires that these companies

1 can supply. So I'm happy, as I've said before, to
2 participate in this. But I -- I can't really be
3 very effective if I'm not in the loop on what's
4 happening. I am wondering if there is a way that
5 I can be included in more of the information
6 sharing?

7 MS. DOWD-BURTON: So, two things. Once we
8 meet with the two companies in January, we will
9 have a better understanding of what their
10 capability and capacity is. We really appreciate
11 them responding to the outreach of the Procurement
12 Department and the Water Department in answering
13 questions, agreeing to meet and talking about
14 their interest in doing business with the City of
15 Philadelphia. The fact that the other companies
16 that we have also reached out to similarly with
17 emails and phone calls and they have not
18 responded, we do have a question with regard to
19 their interest in doing business with the City.

20 That's first.

21 MR. MASTERS: That's fair.

22 MS. DOWD-BURTON: Secondly --

23 MR. MASTERS: I have a question about it,
24 too.

1 MS. DOWD-BURTON: Yes.

2 Secondly, the fact that the City of
3 Philadelphia is the fifth largest city in the
4 country, companies who sell water treatment
5 chemicals who are other capacity to build
6 relationships with the public sector, I would
7 expect them to have approached the City of
8 Philadelphia prior to your interest in assisting
9 them in that fashion.

10 So, we will proceed with our analysis in
11 January. And if there is any additional interest
12 that you can garner from other companies, that
13 would be fine. We would invite them to be added
14 to the bidders list so that they can participate
15 in the competitive bid process.

16 MR. MASTERS: If we were, moving down the
17 road, able -- let's say these two companies are
18 meeting in January and they have some capacity to
19 supply the necessary chemicals and that at that
20 point you're able to establish some participation
21 ranges, what's the time table that we would have
22 to meet before -- exactly when would we have to
23 know that we can rebid this contract is my
24 question?

1 My sense is it's probably March of 2014
2 that the process would have to be commenced for
3 the rebidding; is that correct?

4 MS. DOWD-BURTON: Well, I think that
5 question is premature until we know when and what
6 the capabilities are of these companies. If the
7 Water Department would care to respond, that would
8 be fine. But what I'd like to do is wait until
9 those meetings, and then we'll be happy to, you
10 know, give you some update.

11 MR. MASTERS: I understand that we have to
12 wait until the meeting to see whether there is
13 actually a "there" there. But what I'm saying,
14 since this contract was -- the bid closing was in
15 June. And my sense is that there is clearly
16 several months that have to proceed the creation
17 of the bid and the vetting of the bid. I'm just
18 wondering what date the process starts on the part
19 of the Procurement Department and the Water
20 Department?

21 Is it some time in March? Would it be
22 March of 2015? If it goes into its normal
23 two-year course? Are we talking about February?
24 If I can get some of these other companies to meet

1 with the City, when is it too late? When is it
2 still timely to do that.

3 MS. DOWD-BURTON: Well, because the
4 Procurement Commissioner is not here, I do not
5 have an answer for you. What I would suggest is
6 you probably look at the time frame that the last
7 bid went out and the content of that. That might
8 give you a clue prior to us being able to confer
9 with the Procurement Commissioner.

10 MR. MASTERS: I know the bid went out in
11 June, and I know that there were several weeks,
12 obviously, before it's publicized. But I don't
13 know how many months before that it actually goes
14 into the process. That's -- I just don't know. I
15 am sure I can meet with the Water Department and
16 somebody can help me with that.

17 MS. DOWD-BURTON: Okay. Very good.

18 Thank you.

19 MR. MASTERS: Thank you.

20 MS. DOWD-BURTON: We are at, I guess,
21 approximately 11:18. I want to thank everyone who
22 came today to testify. I really appreciate all
23 the information that was shared: The Water
24 Department, Just Laws, Angelo Perryman

1 representing MACCID, Temple University and the
2 City of Philadelphia Office of Economic
3 Opportunity. I thank you, William, for your
4 summary. William Clark is the new Director of
5 Special Projects who has been on board for about
6 two months now and hit the ground running. So, we
7 certainly have high expectations of incorporating
8 best in class practices and sharing those in the
9 marketplace.

10 What I would like to do is wrap up with a
11 couple of comments, Steve. And I don't know if
12 you have any closing comments that you'd like to
13 add.

14 MR. BRADLEY: I mean, the information today
15 has been very beneficial. Like I said, the Water
16 Department has raised the bar for a lot of other
17 entities here in the City, public and private.
18 That's great news we hear, and that's why I'm here
19 to serve.

20 MS. DOWD-BURTON: Absolutely. Thank you.

21 I am just going to wrap up by saying at the
22 last meeting I spoke of a -- an expected release
23 of a report. The review of the Philadelphia
24 Economic Opportunity Plans for 2009 to 2013

1 assessing goal achievement and compliance which is
2 going to add to our baseline of information along
3 with the summary of the findings in our
4 transcripts. And so, this data will be used by
5 the Economic Opportunity Review Committee to
6 subsequently make recommendations to Council as it
7 relates to policy and potentially new legislation
8 that will strengthen economic opportunity plan
9 legislation.

10 I also wanted to add a couple of other
11 things that the Office of Economic Opportunity has
12 been engaged in this past year as we look at the
13 end of year in another couple of weeks. It's sort
14 of gone by so quickly.

15 The Office of Economic Opportunity in
16 collaboration with the Department of Innovation
17 and Technology actually launched a Compliance
18 Reporting System earlier this year. This system
19 requires prime contractors to report the dollars
20 that they have paid to minority and women-owned
21 businesses. This is in not only construction but
22 private, professional and personal consulting
23 service contracts as well as service supplies and
24 equipment. We are tracking payments now from

1 primes to subcontractors.

2 Subcontractors are also required to confirm
3 that they've received payments from the prime, so
4 this is a closed-loop process. One that is
5 historic in the City to really begin to look at
6 the traffic of dollars that are flowing in
7 addition to the commitments that are being made to
8 minority women and disabled-owned businesses. And
9 so, those companies that have contracts with the
10 City have been trained. Those that need training
11 can go onto the OEO website at www.phila.gov to
12 our registry and log in. It's a secure site where
13 they will be expected to put in their passwords
14 and enter their data.

15 The other thing that I wanted to highlight
16 is the 10,000 Small Businesses Program of which
17 Steve is a scholar. Goldman Sachs 10,000 Small
18 Business Program is now accepting applications
19 for, I believe it's their fourth class, which will
20 be starting in the spring. The deadline for those
21 applications is actually February 10, 2014. You
22 can go online at 10,000 Small Businesses. You can
23 even type in Philadelphia. It's a website very
24 easy to find with a lot of the details there. And

1 I think those -- this program is one of the most
2 transformational programs in terms of impacting on
3 the growth and increasing the potential for
4 success of small businesses across the region.

5 So -- and then I guess the final thing that
6 I wanted to mention in terms of OEO engagement is
7 our annual report will be released within the next
8 few days. And so, we are very happy to report
9 there have been some -- some achievements that I
10 think the marketplace will be excited about as the
11 release -- as we release the report and you have a
12 chance to review that. I'm not going to let a cat
13 out of the bag yet, but stay tuned. That report
14 along with the transcript of this meeting will be
15 on the OEO website.

16 So finally, I just want to end with some
17 thank you notes. One is to the City Council for
18 providing us with a venue that allows us to reach
19 into the marketplace and engage you in
20 conversation to learn more about what's going on
21 in the construction industry and where we should
22 put our resources to be the most impactful.

23 I want to acknowledge Mayor Michael Nutter
24 for his leadership with the Economic Opportunity

1 Cabinet that certainly has allowed us to catapult
2 some of the results that we've been able to
3 achieve in our Inclusion Work Strategic Plan,
4 which was launched in 2010.

5 We want to thank the OEO staff and of
6 course the OEO officers who across the City have
7 raised the bar, and the Water Department is one
8 that demonstrates that we're looking to new
9 heights in terms of inclusion and the engagement
10 of minority and women-owned businesses.

11 Some of the members of the Mayor's Advisory
12 Commission on Construction and Divers -- the
13 Mayor's Advisory Commission on Construction
14 Industry Diversity -- it's a lot easier to say
15 MACCID -- but they were here today. And you heard
16 Angelo Perryman, as Chairman, his comments on what
17 we can do to continue our mission of economic
18 opportunity for small businesses.

19 And then I want to talk about the OEO
20 Advisory Board of which, Steve, you also serve on
21 that board and the work that we've been able to do
22 with leaders in the nonprofit and the private
23 sector to again adopt best practices for OEO to
24 follow.

1 So lastly, there are the minority women and
2 disabled-owned businesses who pour their hearts
3 into their businesses every day and they put their
4 faith in us and the strategic partners of the
5 Office of Economic Opportunity to open doors for
6 them. And so, we will continue to pursue this
7 commitment and to ask all of you to continue to
8 work with us and -- to continue to work with us to
9 inspire them to achieve.

10 In closing, I just want to acknowledge the
11 passing of the President of South Africa. And to
12 acknowledge the work that was done years and years
13 and years ago by the City when we stood up for the
14 Sullivan Principles. I served at that time under
15 Mayor Goode's Administration. And we set our
16 policies around the Sullivan Principles and did
17 business with companies who supported those
18 principles in order to bring down apartheid in
19 south Africa.

20 And so, when we think of President Mandela
21 and all that he stood for, I just want to
22 acknowledge this City and this Administration
23 along with the Council that supported him during
24 those early days and the work that he would

1 ultimately do impacting the world.

2 Thank you for that. Everyone have a
3 wonderful holiday season. We look forward to
4 seeing you in the new year.

5 - - -

6 (Economic Opportunity Meeting adjourned
7 at 11:28 a.m.)

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C E R T I F I C A T I O N

I, hereby certify that the proceedings and evidence noted are contained fully and accurately in the stenographic notes taken by me in the foregoing matter, and that this is a correct transcript of the same.

Court Reporter - Notary Public

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