

ECONOMIC OPPORTUNITY REVIEW
COMMITTEE

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, June 13, 2016
10:10 a.m.

PRESENT:

ANGELA DOWD-BURTON, Office of Economic
Opportunity
STEVEN SCOTT BRADLEY, African American
Chamber of Commerce

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MS. DOWD-BURTON: Good morning, everyone. In the interest of time, we are going to proceed with our introductions and our agenda and we will hold any decisions that may need to be made by the Committee until we have a quorum, but in the respect for your time and being here promptly, we will get started.

My name is Angela Dowd-Burton. I am the Deputy Director of Commerce and the Executive Director for the Office of Economic Opportunity. It is my privilege to also chair this City Council's Economic Opportunity Review Committee.

I would like to acknowledge Mr. Harold Epps, who is in our audience here today. He is the Commerce Director for the City. So thank you for being here.

And Mary Stitt is also with him. She reports to the Chief Diversity and Inclusion Office as well as the Office of Economic Opportunity. So thank

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2 you for your attendance as well.

3 As all of the joyous faces
4 here, I think we have two interns also
5 from the Office of Economic Opportunity.
6 They can be introduced by Nicholas Jann
7 when he arrives.

8 Thank you, Mr. Bradley, for
9 joining us. If you would introduce
10 yourself, please.

11 MR. BRADLEY: Good morning. My
12 name is Steven Scott Bradley. I'm Chair
13 of the African American Chamber of
14 Commerce.

15 MS. DOWD-BURTON: Thank you.

16 And with two members of the
17 Committee, we now have a quorum and we'll
18 proceed.

19 So this is the second quarter
20 meeting of the Economic Opportunity
21 Review Committee, also known as EORC for
22 short, and we have a pretty robust agenda
23 today, and so I'm just going to walk
24 through the agenda first and then we'll
25 also have some speakers from our business

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2 community here, and we thank you for your
3 participation.

4 I'm going to call out the list
5 of individuals who will be speaking today
6 just to confirm that you are here. And
7 if there's anyone here to speak who is
8 not listed on our agenda, to please see
9 Michelle to my right and she will sign
10 you in. Thank you for that.

11 So today we're going to have
12 Sylvie Gallier Howard, who is Chief of
13 Staff for the Commerce Department, along
14 with Heloise, Heloise. I'm going to say
15 it three times. Heloise Jettison,
16 Director of Talent Development, new to
17 the Commerce Department.

18 We will also have Debra
19 McCarty, who is Commissioner of the Water
20 Department, and we thank you for being
21 here and all of the work you've done,
22 which we're anxiously looking to hear
23 more about.

24 We will have Lee Huang, Senior
25 Vice President and Principal of Econsult

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2 Solutions; Brittany Forman, who is
3 Director of Econsult; and Denise Bailey,
4 who is principal at Milligan and Company,
5 who are co-authors of the City's 2015
6 Disparity Study. So we'll hear some of
7 the detail findings of that report today.

8 We will also have the CEO of
9 MFR Consultants, Maria Roberts, and she
10 is here. Thank you for coming, and I
11 understand you have a conflict in your
12 schedule, so we're going to move you to
13 the top of the agenda if we can and with
14 the indulgence of other speakers here.

15 And then we're going to have
16 Nicholas Jann from the Office of Economic
17 Opportunity to do a recap of the Economic
18 Opportunity Plan Dashboard, which is on
19 the Office of Economic Opportunity
20 website.

21 But let me begin first with the
22 purpose of the Economic Opportunity
23 Review Committee, which was established
24 by City Council with Bill 120013 on March
25 1st of 2012. The purpose of the

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2 Committee is to look at the effectiveness
3 of the implementation and enforcement of
4 Chapter 17-1600 of The Philadelphia Code,
5 which governs Economic Opportunity Plans.
6 We are responsible for making
7 recommendations to Council regarding the
8 adoption of resolutions calling for the
9 debarment of certain contractors and
10 recipients of City financial assistance
11 if they are in violation, deliberate
12 violation, of the Economic Opportunity
13 Plan commitments that are made during the
14 contract awarding process.

15 The EORC conducts public
16 hearings on a quarterly basis to capture
17 the state of the market from the
18 perspective of project owners,
19 developers, contractors, subcontractors,
20 union leaders, prospective employees, as
21 well as consultants. We also take this
22 opportunity to update the Committee on
23 the inner workings of the Office of
24 Economic Opportunity.

25 All of the business of this

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2 Committee is transcribed and the
3 transcripts are found on the OEO website
4 at phila.gov/OEO under the Governance
5 tab.

6 So with that, today's agenda is
7 going to include a brief overview and
8 summary of the Fiscal Year 2016 third
9 quarter report. We also have the details
10 of the public works contracts that have
11 been awarded by the operating
12 departments. We will also briefly talk
13 about the dashboard.

14 I'll just share with you that
15 right now we are monitoring over 871
16 projects, of which about 320 are underway
17 and another 150 or so are on the drawing
18 board of the 871 that we've added to our
19 list since the inception of the Economic
20 Opportunity Plan review.

21 And we will also go over some
22 of the newly introduced legislation, some
23 of the bills that have been voted out of
24 committee that will impact the workings
25 of the Office of Economic Opportunity and

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2 the City.

3 So with that, I'm going to call
4 your attention to our first report, which
5 shares that the Office of Economic
6 Opportunity is monitoring the City's
7 inclusion of minority, women, and
8 disabled-owned businesses, and to date,
9 we're reporting between the City and the
10 quasi public agencies 30.38 percent
11 participation. That's 30.38 percent
12 participation. Operating departments
13 have achieved 31.91 percent
14 participation. And when we look
15 specifically at public works, we're
16 actually having acknowledged the award of
17 \$51.4 million to minority, women,
18 disabled-owned businesses in the first
19 three quarters this year. That's \$51.4
20 million.

21 With that, I'll just highlight
22 one of the departments, the Water
23 Department, since you are here today.
24 And in public works, we actually are
25 monitoring Aviation, License and

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2 Inspection, Public Property, Streets, as
3 well as Water. But the Water Department,
4 which is a dominant share of our public
5 works participation, has awarded 22 --
6 well, I'll say \$23 million to minorities
7 and \$16.8 million to women, representing
8 almost 26 percent participation on public
9 works. So we'll talk more about how do
10 you achieve those goals and some of the
11 best practices that you're implementing
12 when we hear from the Commissioner today.

13 I also, Steve, just want to
14 highlight -- and you let me know if you
15 have any questions as we go along. All
16 right?

17 MR. BRADLEY: Okay.

18 MS. DOWD-BURTON: --

19 (continued) that we've included in the
20 packet an organization structure. The
21 Office of Economic Opportunity under the
22 Kenney Administration reports not only to
23 the Commerce Department but also the
24 Chief Diversity and Inclusion Officer.
25 And I want to acknowledge Nolan Atkinson

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2 who has also joined us. So thank you for
3 coming in, Mr. Atkinson.

4 And so we are well underway
5 into almost six months of the
6 Administration. The goals we previously
7 set for contracts was 30 percent
8 participation as of Fiscal Year 2015 and
9 '16, but headed into Fiscal Year 2017, we
10 will be pursuing overall City goals of 35
11 percent at the direction of the Kenney
12 Administration.

13 On Page 11, it just highlights
14 where we've been from Fiscal Year '12
15 over to Fiscal Year '15. And just to
16 summarize, in Fiscal Year '12, we awarded
17 \$160.9 million, that's the City
18 departments, to minority and women-owned
19 businesses, and by Fiscal Year '15, that
20 \$160.9 million was raised to \$201 million
21 and actually broke a record for operating
22 departments. And when you throw in the
23 quasi public agencies and their
24 initiatives, the City and the quasi's had
25 awarded \$280 million in 2015 -- I'm

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2 sorry; 2012, and that number exceeded
3 \$302 million for Fiscal Year 2015. So
4 you can see the growth that we've been
5 able to generate and the collaboration
6 that has worked well with the operating
7 departments and the quasi public
8 agencies.

9 So I'm just going to summarize.
10 On Page 13 we have the legislative
11 summary. These are a few bills that were
12 introduced recently by City Council as it
13 relates to how the City operates. So one
14 bill, 160129, actually addressed the
15 issue of First Source Jobs Policy, and
16 we're happy to have Sylvie Howard
17 Gallier -- Gallier Howard who has joined
18 us today, and if you would approach the
19 table. As soon as we do this legislative
20 summary, we will roll right into your
21 testimony. Thank you.

22 We also had Bill No. 160152,
23 which addressed the issue of inclusion
24 for the LGBT community, and I'll ask that
25 we pause just for a moment of silence in

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2 the acknowledgment of the tragedy in
3 Florida this past weekend.

4 (Brief moment of silence.)

5 MS. DOWD-BURTON: Thank you.

6 And that bill, Bill 160152, in
7 addition to recommending the inclusion of
8 the LGBT community also addressed the
9 religious community as well. And so
10 that's one bill that's currently still on
11 the table.

12 We have Bill 160325 which was
13 introduced, and that bill lowered the
14 threshold of Economic Opportunity Plans
15 as it relates to the inclusion of not
16 only minority, women, disabled-owned
17 businesses but a diverse workforce. The
18 threshold was lowered from \$250,000 to
19 \$100,000.

20 We also had Bill 160364 which
21 was introduced, and that bill addressed
22 the Philadelphia 21st Century Minimum
23 Wage Standard, and we had Bill 160370
24 which was introduced to address the issue
25 of prompt payments and the impact of slow

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2 payments on minority and women-owned
3 businesses. And so that bill also gave
4 consideration to our small business
5 community.

6 And then, finally, there was
7 160165 which was a bill introduced just
8 to assess where we are as it relates to
9 the certification and the acceptance of
10 certification of businesses through third
11 parties as opposed to the City hosting
12 its own certification function.

13 So I just wanted to share that
14 legislation with each of you, and all of
15 it has an impact on the way the City and
16 the Office of Economic Opportunity works.

17 So with that, I again welcome
18 Sylvie Gallier Howard to the table, Chief
19 of Staff with the Commerce Department.
20 You can introduce yourself.

21 MS. HOWARD: Thank you. Good
22 morning, members of the Economic
23 Opportunity Review Committee. My name is
24 Sylvie Gallier Howard. I am Chief of
25 Staff at the Department of Commerce. I

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2 am joined today by Barbara Allen,
3 Director of Industry Partnerships and
4 Business Engagement at Philadelphia Works
5 right here behind me, Meredith McCarthy
6 of Philadelphia Works, and Heloise
7 Jettison, Commerce's new Director of
8 Talent Development.

9 I am here today to provide
10 testimony regarding the First Source Jobs
11 Policy. The Department of Commerce is
12 the designated department to implement
13 and enforce this policy in partnership
14 with Philadelphia Works, with the
15 guidance and oversight of the Economic
16 Opportunity Review Committee.

17 I will begin by explaining how
18 the First Source Jobs Policy works. As
19 per the legislation, projects that
20 receive financial assistance of \$25,000
21 or more and requires City Council
22 approval are eligible under the First
23 Source Jobs Policy. These recipients
24 must notify the Department of Commerce
25 and sign a First Source agreement. Once

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2 the recipient is ready to hire for any
3 entry-level jobs, they must first post
4 the jobs through Philadelphia Works and
5 receive and screen referrals from the
6 Philadelphia Works registry. A recent
7 amendment through Bill 160129 has
8 increased the First Source period from 10
9 business days to 30 calendar days. The
10 recipient of financial assistance or any
11 tenant of theirs must make best and
12 good-faith efforts to hire candidates
13 from the registry and notify Philadelphia
14 Works of such hires. After the 30-day
15 period has passed, the beneficiary can
16 post the job elsewhere and pursue any
17 hiring process that they choose.

18 The Department of Commerce and
19 Philadelphia Works have worked together
20 to develop this process to implement the
21 First Source Jobs Policy. We believe
22 that together we will not only be
23 successful in referring more Philadelphia
24 jobseekers for these projects, but also
25 in increasing the utilization of

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2 Philadelphia Works beyond First Source
3 eligible positions.

4 The First Source Jobs Policy is
5 currently transitioning to the Talent
6 Development Unit in Commerce led by
7 Heloise Jettison. This unit aims to
8 create a viable talent pipeline for
9 Philadelphia employers and ensure that
10 more family-sustaining jobs exist for
11 Philadelphians. First Source will be one
12 of the many strategies that we hope to
13 test and develop to provide more
14 opportunities for employment in
15 Philadelphia.

16 At the end of April, Commerce
17 submitted its first quarterly report on
18 First Source, a copy of which is
19 submitted along with this testimony. At
20 the time of the report, two recipients
21 were eligible under First Source. One is
22 the W/Element Hotel and two is
23 Pennsylvania Real Estate Investment
24 Trust, or the Gallery project. Both of
25 these projects are in the construction

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2 phase and will not be creating jobs for
3 some time. As stated in the report, the
4 Department of Commerce has recently
5 received notice about two other
6 beneficiaries that are expected to be
7 covered under the First Source
8 legislation by the next quarterly report
9 deadline. The Office of Housing and
10 Community Development, OHCD, has conveyed
11 properties to Orinoka Mills, LP, Limited
12 Partnership, and New Kensington Community
13 Development Corporation. Two First
14 Source agreements will be included as
15 part of the closing documents. The
16 estimated financial assistance amounts
17 are \$97,056 and \$131,102, respectively.

18 The Department of Commerce is
19 monitoring the progress of all of these
20 projects, and Philadelphia Works is
21 reaching out to these recipients to
22 ensure that they have all the information
23 that they need to proceed once they are
24 ready to start filling positions.

25 The Department of Commerce

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2 welcomes the opportunity to work more
3 closely with the Economic Opportunity
4 Review Committee to determine how to
5 ensure that this policy is as effective
6 and successful as possible.

7 Thank you for the opportunity
8 to appear before you today.

9 MS. DOWD-BURTON: Thank you.

10 Steve, do you have any
11 questions?

12 MR. BRADLEY: Good morning.
13 How you doing?

14 MS. HOWARD: Good morning,
15 Steve.

16 MR. BRADLEY: I just wanted to
17 find out, does this type of first source
18 work in other cities around the country?

19 MS. HOWARD: So Philadelphia
20 Works and the Commerce Department did
21 some research in other cities. It's been
22 most effective in Baltimore. It does
23 exist, I believe, in San Francisco, a few
24 other cities. There have been some
25 challenges just in terms of monitoring

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2 and knowing what projects it falls under.

3 But I think Baltimore has been the most
4 successful. They have a full-time person
5 that is designated to the policy.

6 MR. BRADLEY: Great. And we
7 have the tracking mechanism in place so
8 that we will be able to monitor this
9 process?

10 MS. HOWARD: So we reached out
11 to the different departments that we
12 believe that would be impacted by First
13 Source. We had a meeting about it and
14 told them about the policy. And so far,
15 as they're doing their paperwork, they
16 usually, once they kind of get to the Law
17 Department, they are informed that it's
18 triggered. So so far, yes.

19 MR. BRADLEY: Great. Much
20 success. It's definitely needed.

21 MS. DOWD-BURTON: So I guess
22 one of the questions that I've heard over
23 time is the impact of Philadelphia Works
24 and the other alternatives that you are
25 considering that you mentioned. And so

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2 can you explain some of the other options
3 that employers may have.

4 MS. HOWARD: So we decided that
5 since the legislation talks about the
6 Commerce Department needing to have a
7 registry of candidates that are eligible
8 for entry-level jobs, Philadelphia Works
9 was the most logical choice, because they
10 maintain -- their registry changes from
11 minute to minute. It's really the best
12 registry to use. So that really is the
13 registry that we've chosen.

14 Now, if there was another, for
15 example, workforce agency or there may be
16 other registries, people who are keeping
17 lists of folks that are eligible for
18 entry-level jobs, we could also choose to
19 partner with those. There's nothing
20 limiting us from working with several
21 registries, but at this point, we're so
22 early on in the process, we're really
23 just working with Philadelphia Works in
24 terms of that being the registry.

25 In terms of my testimony, the

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2 30-day period is the period in which the
3 employer has to only hire or post the
4 jobs through Philadelphia Works. After
5 that, they can do what they want.
6 Hopefully they'll continue with that
7 process, but that's the 30-day period
8 that they're required to have only
9 Philadelphia Works as the registry.

10 MS. DOWD-BURTON: Thank you. I
11 also know that and acknowledge
12 Philadelphia Works is working with our
13 airport on the Workforce Development
14 Committee. So thank you for that as
15 well. Thank you.

16 MS. HOWARD: Thank you.

17 MS. DOWD-BURTON: I'd like to
18 call our next testifier, if that's a new
19 term, Ms. Maria Roberts, CEO of MFR, our
20 next candidate for testimony.

21 (Witness approached witness
22 table.)

23 MS. ROBERTS: Hello.

24 MS. DOWD-BURTON: Good morning.
25 How are you?

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2 MS. ROBERTS: Thank you very
3 much for allowing me to testify this
4 morning. I definitely want to give
5 thanks to Angela and Steven, who I have
6 known for lo these many 27 years. I
7 started my company in 1989 here in
8 Philadelphia. In fact, on June 9th of
9 this year, it is our 27th year.

10 MR. BRADLEY: Congratulations.

11 MS. ROBERTS: So we are
12 celebrating as we speak.

13 My company has grown from me
14 working out of my living room, with me
15 and a few friends, to almost 50
16 employees. We have contracts now in 14
17 different states. For those who don't
18 know MFR Consultants, we are a woman and
19 minority-owned company. Our specialty is
20 business advisory and technology
21 services, and we mainly focus on public
22 sector clients.

23 As a reminder to my friends and
24 colleagues that are here, I have been
25 doing business in the City for many, many

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2 years, and as you can well imagine, I've
3 seen a lot, some very good and some very
4 bad. And those that I've seen that are
5 very bad are usually in partnership with
6 some of the prime vendors that I've
7 worked with. It has not been with any of
8 the City administrators, I must say.

9 I have worked very closely with
10 Angela and watched her graciously fight
11 for many of the firms like mine to be --
12 to have an active participation and to be
13 actively involved in City business, and
14 for that I am forever grateful.

15 I want to be here today and I
16 would love to paint this lovely,
17 beautiful picture, but the picture that
18 I'm painting is not as rosy as I would
19 love it to be. And I know I've spent
20 many hours talking to Angela, and I know
21 in some ways she understands my pain.
22 And I know that, Steven, you and I have
23 had discussions and you understand what
24 it is like for a woman and minority-owned
25 firm in this city to do business and to

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2 successfully do business.

3 So my feeling frequently is
4 that many of the attitudes held by some
5 of the department heads, a few, and also
6 many of the prime vendors is parochial.
7 Their attitudes are extremely parochial
8 and, that is, many of the departments and
9 the vendors, better known as
10 majority-owned firms, still feel that
11 minority and women-owned firms are not
12 able to perform on larger scale projects.
13 And so frequently we are not frequently
14 offered the opportunity to bid as primes.

15 They feel that we lack the
16 capacity, and the perception is with this
17 because of that, many firms like mine are
18 pigeonholed.

19 Though I have had the
20 opportunity to perform as a prime on a
21 few City contracts, such as with the
22 Department of Human Services, Office of
23 Innovation and Technology, I have found
24 these to be exceptions rather than the
25 rule.

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2 Over the past 27 years, I have
3 submitted many bids to City agencies and,
4 however, only received an award as a
5 subcontractor if I'm a subcontractor to a
6 prime. This has gone on even though my
7 firm has proven itself year after year to
8 be more than capable of handling large
9 prime contracts.

10 Most of my prime contracts, I
11 must add, are contracts that have been
12 awarded to me in other states and through
13 the federal government. And I have to
14 say that there are many reasons firms
15 often find it easier, like mine, to do
16 business in other cities, and I will say
17 that quite simply it's very difficult to
18 be successful here. And I think that
19 anybody who saw the study that was done
20 by the American Business Journal reported
21 that Philadelphia ranked 64th out of 106
22 metropolitan areas for business vitality.
23 And we should not be ranked that low.

24 So many times I've heard my
25 colleagues share with me that if I had to

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2 depend on getting business in this
3 region -- and when I say "this region,"
4 Philadelphia, Delaware, New Jersey --
5 that they would have shut the door many
6 years ago.

7 The one thing I have to say is
8 I could afford to do business here
9 because I could afford my office here.
10 Philadelphia's office space up until here
11 recently, which is now the real estate
12 market is going through the roof, has
13 been reasonable. I mean, I could afford
14 to keep my business. Even though people
15 complain about the tax rate, you know, I
16 haven't really complained about the tax
17 rate as much because -- it has impacted
18 me somewhat now, but I could afford to
19 live here. I could own a home. I could
20 raise a family. I could do all those
21 wonderful things being in this wonderful
22 city. And I love watching what's
23 happened to the City in the last 25
24 years. It's grown into a really
25 wonderful, vital metropolis, and I'm

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2 excited to be a part of it.

3 But I want to continue. There
4 are some things that are a little pet
5 peeve of mine, if I may. The City of
6 Philadelphia allows other firms to come
7 into the City and become certified to do
8 business here even though they lack --
9 the business lacks a physical presence.
10 So they are able to come, do business,
11 but they really don't pay into the
12 infrastructure and the long-term economic
13 development of this city. So I sort of
14 see them as kind of carpetbaggers, if we
15 may.

16 And with this in mind, I am not
17 able, for example, to do business in
18 Baltimore, in Chicago, Tallahassee, the
19 City of New York, just to name a few,
20 because I don't have my prime office
21 space there. So for me, it should be
22 equal reciprocity. If a city like
23 Baltimore will not allow a firm like mine
24 to have equal access to their business,
25 we pay tax dollars to the same omniscient

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2 God -- in Washington -- excuse me. I've
3 had some dental work done, so I'm lisping
4 a little -- then I think it should be
5 equal to all.

6 Anyway, I go on and I'm going
7 to wrap up briefly, but I want to share
8 some of the challenges that I observed
9 over the last 27 years, and some of these
10 are the lack of a pre-bid meeting.

11 Pre-bids used to be much more standard,
12 and I've seen them dwindle less and less
13 and less. Pre-bids are an important
14 function, because they allow firms like
15 mine and smaller firms to actually get in
16 front of the department heads. It is
17 very difficult to meet the commissioners
18 and the second-tier managers within the
19 departments if you're a small business.

20 If you're a large company, a large
21 consulting firm, they meet you. Even
22 though they claim they don't, they do.
23 It's very difficult for us to get a
24 presence and to meet -- to get in front
25 of them and do a presentation to explain

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2 my services.

3 Pre-bid meetings serve as a
4 vital function for small firms. They
5 allow us to meet with the competition.
6 They allow us to see our competition, and
7 they also allow us to network, and that's
8 a really important piece for us. And
9 rightly or wrongly, if there was no
10 pre-bid meeting, it is often felt that it
11 is a fait accompli; that is, that it's a
12 preordained decision on where it's going
13 to go, maybe to one or two of the prime
14 vendors that are there.

15 Second, the length of time it
16 takes to conform a contract. It has been
17 my experience that it takes approximately
18 four months to conform a City contract
19 once it's awarded. And then once it's
20 awarded, it will take another two months
21 before you're even paid on those
22 invoices.

23 Though I am fortunate at this
24 time that my firm has reached a point in
25 its lifecycle that it can absorb those

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2 costs, many firms who are starting off
3 cannot. At best, this process is
4 bizarre, and at worst, it's byzantine,
5 and it is also a self-destructive process
6 that the City puts in place that destroys
7 many women and minority-owned companies
8 from surviving. There are very few
9 companies that can do work and wait six
10 months for a check.

11 However, I have to say that
12 there are some departments that have
13 actually put in workflow processes to
14 track invoices and to track payments, and
15 I'll be happy to share that with you,
16 those departments that I think are really
17 stepping outside the maze in working
18 very -- to sort of move the process
19 along.

20 A large percent of my contracts
21 are on the federal government side, and
22 believe it or not, once I submit a
23 contract to the federal government, I'm
24 paid within 30 days, within 30 days. A
25 contract that's awarded by the federal

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2 government is an award, immediate award.
3 They give you about 30 days to ramp up,
4 you invoice and, as I said, within 30
5 days you're paid. And I understand that
6 it is the federal government, which one
7 would assume is really a very -- is just
8 this huge entity that would be very
9 difficult to get that done, but it is not
10 so.

11 And, third, access, as I said
12 earlier, access to key decision-makers,
13 the departments heads, the commissioners.
14 And the other thing too is one of the
15 other pet peeves I have is prime vendors
16 who don't pay us within 30 days, and, in
17 fact, they use us frequently,
18 subcontractors, as part of their -- lack
19 of a better word, we're sort of their
20 fiscal process. That is, if you have me
21 on a contract and you don't pay me until
22 you get paid, then you're leveraging your
23 financial feasibility on me. You're
24 using me as that bank. And so we find
25 this appalling. I think that if you're a

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2 prime, you should be able to carry the
3 financial debt and the burden for that
4 company, and your subs should be paid
5 within 30 days of an invoice.

6 Many prime contractors mark up
7 invoices, yet do very little work, very
8 little input on what we do. Yet I will
9 find out later that they marked up an
10 invoice 10 or 15 percent, and it really
11 doesn't make a lot of sense why. First
12 of all, they're not paying us within 30
13 days, so they can't use it as a reason
14 for debt. And they're also not actively
15 involved in the work that we do.

16 The sad truth is, prime
17 contractors only subcontract because the
18 contract requires it. And I'm saying
19 this because for those of us women and
20 minority-owned firms, if it wasn't in the
21 contract that you had to participate at a
22 certain level, they would not do it.

23 Rarely do you find companies
24 that actually go above those numbers. So
25 if it's 10 percent, they'll say 10

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2 percent. Every now and then I meet a
3 company that actually says, Well, you
4 know, we really have enough work, we
5 would like you to do 30 or 40 percent.
6 But it's very rare.

7 And last, but not least, the
8 work that many of the primes offer to
9 subcontractors is not meaningful nor is
10 it substantive.

11 So I'm going to end by saying I
12 spent as much time as I could this year
13 watching the 2016 budget hearings. So I
14 watched Council President Clarke and I
15 also listened to other Councilmembers as
16 they talked about their concerns about
17 inclusion and participation as it relates
18 to women and minority-owned businesses,
19 and I'm very happy to hear it. The only
20 thing is, I hope that I don't turn the TV
21 on again next year and hear the same
22 concerns. I am hoping, hope against
23 hope, that these will -- that they will
24 change, that some of this legislation
25 will get passed and we'll see some major

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2 changes.

3 In summary, though the City has
4 come a long way -- and it certainly has
5 come a long way -- with the Office of
6 Equal Opportunity, which serves as an
7 advocate -- and I have to say it's one of
8 my champions, right? Angela is a
9 champion of mine, and she's my hero. I
10 don't know how you do it, but my hat goes
11 off to you.

12 We still have a long way to go
13 to ensure that there are more
14 opportunities for women and minority
15 companies to participate as prime
16 contractors in the City.

17 With that said, I want to end
18 my testimony, and I thank you for
19 inviting me to present.

20 MS. DOWD-BURTON: Steve,
21 comments or questions?

22 MR. BRADLEY: Congratulations
23 on your -- you said 27th?

24 MS. ROBERTS: 27th, yeah. I
25 was 3 when I started.

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2 MR. BRADLEY: Great.

3 You mentioned earlier about the
4 lack of pre-bid meetings. Was there a
5 period in your business cycle where there
6 were stronger pre-bid meetings or it's
7 been pretty stagnant?

8 MS. ROBERTS: Up until, I
9 think, a few years ago when I would say
10 during the last Administration, it seemed
11 like it had dropped. It seemed like the
12 Administration before, there were a lot
13 more pre-bid meetings, almost on any
14 project of any size, and even some of the
15 contracts -- and I say size. Some of
16 them might have been no more than
17 150,000, but they still had pre-bid
18 meetings, and it gave you an opportunity
19 to really network. In fact, some of the
20 wonderful partnerships that my firm has
21 enjoyed -- and those are some of the very
22 large companies that I still do business
23 with 15 years later, 20 years later -- I
24 met at pre-bid meetings. And it's
25 virtually impossible to find out who the

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2 engagement officer is, for example, if I
3 worked -- I worked with Accenture, I
4 worked with KPMG, I worked with Deloitte.
5 I could not find who those engagement
6 officers were if it wasn't for the fact
7 that there was a pre-bid meeting. And
8 also for me as a prime, for me to even
9 find out who would be a small business
10 that I would work with as -- who would I
11 bring on as a sub, it's very difficult.
12 Even though we have a list of companies,
13 we can go to the list, it's really easy
14 to make that face-to-face meeting when
15 you're actually there at the pre-bid
16 meeting and sort of have that sort of
17 informal formal meeting with an exchange
18 of cards and a commitment to follow up
19 after the meeting.

20 MR. BRADLEY: And you also
21 mentioned one of the key factors why you
22 remain in the City is affordability. I
23 mean, you've been here for quite a period
24 of time. Can you mention another reason
25 that's been able to keep you in

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2 Philadelphia and be successful?

3 MS. ROBERTS: Well, I love the
4 City. I love the City. I mean, I'm a
5 child of the world. I mean, I grew up in
6 a military family, so I've sort of lived
7 everywhere growing up. I graduated from
8 college here and went to college in
9 California. I have traveled and worked
10 on contracts in many of the large cities.
11 I certainly could have relocated at any
12 time to any of the cities, but
13 Philadelphia is a wonderful city. It's
14 warm. I know all of my neighbors. I
15 have -- I can afford office space here.
16 That's really the truth. As I said, real
17 estate is getting a little more difficult
18 now with the cost of the real estate
19 going up, but it's still affordable. I
20 can still have a wonderful office here.
21 And the same office if I had it in New
22 York, I couldn't afford it. I certainly
23 couldn't afford it in Chicago, New York,
24 DC, Atlanta even, you know.

25 But this is a wonderful city,

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2 and it also is very nurturing and
3 supportive. I've been a part of the
4 African American Chamber of Commerce.
5 Most of the colleagues that I know are
6 part of that organization and have
7 supported me and been an active
8 participant in my growth too. My
9 company, I think you know, was awarded
10 the 2014 Small Business of the Year
11 Award, and that wasn't women, that wasn't
12 minority, it was Small Business of the
13 Year Award, and I was very proud of that
14 award. And so we've been given a number
15 of other awards in the last few years,
16 and I'm very proud of them.

17 And so the City of Philadelphia
18 is my home and I continue -- no matter
19 how large the company gets, we will
20 continue to make it our home.

21 MR. BRADLEY: Thank you.

22 MS. DOWD-BURTON: Well,
23 Ms. Roberts, I want to thank you so much
24 for your comments. They are more than
25 timely. We have a Chief Administrative

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2 Officer who is working with the
3 Procurement Department and other
4 multi-functional departments to
5 streamline the process.

6 MS. ROBERTS: For payment on
7 contracts?

8 MS. DOWD-BURTON: From contract
9 or opportunity, publishing and getting
10 the information out into the marketplace.

11 MS. ROBERTS: Great.

12 MS. DOWD-BURTON: Straight over
13 to the payment process.

14 MS. ROBERTS: Great.

15 MS. DOWD-BURTON: So the Office
16 of Economic Opportunity participates on
17 that committee, and we'll certainly be
18 sharing your comments --

19 MS. ROBERTS: Thank you.

20 MS. DOWD-BURTON: -- with the
21 committee to make sure that we capture
22 and engage all of the resources of the
23 City and streamlining the process to meet
24 the needs that you, not only you, but so
25 many other small businesses like yours

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2 have.

3 We certainly congratulate you
4 on 27 years and hope for 27 more.

5 MS. ROBERTS: Thank God, 72.

6 And I want to thank you very much for
7 inviting me, and I will be more than
8 happy to share in writing my testimony,
9 if you wish.

10 MS. DOWD-BURTON: Absolutely.

11 MS. ROBERTS: Thank you very
12 much.

13 MS. DOWD-BURTON: Thank you.

14 So our next member who will be
15 testifying is Debra McCarty, Commissioner
16 for the Philadelphia Water Department.

17 (Witness approached witness
18 table.)

19 MS. DOWD-BURTON: Thank you,
20 Commissioner, for being here.

21 COMMISSIONER McCARTY: My
22 pleasure.

23 Good morning, Angela and
24 members of the Economic Opportunity
25 Review Committee. Again, I am Debra

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2 McCarthy, Commissioner of the Water
3 Department, and I'm here today to provide
4 testimony related to participation on
5 Water Department public works projects.

6 We have submitted detailed
7 written testimony on behalf of our
8 Department. In lieu of presenting that
9 entire submission here, I would like to
10 provide a brief summary highlighting some
11 of the points of information you will
12 find in our written materials.

13 I'd like to begin by
14 emphasizing that the Water Department is
15 committed to supporting and growing
16 diversity among our workforce as well as
17 among our professional partners. This
18 includes our commitment to creating and
19 fostering opportunities for minority,
20 women, and disabled-owned businesses to
21 productively engage in PWD-commissioned
22 public works projects.

23 To date, PWD continues to make
24 notable progress towards our commitment
25 to increasing meaningful and equitable

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2 business participation, as demonstrated
3 by the participation outcomes for our
4 recent and current projects. Each of
5 these projects, which range from
6 rehabilitation of infrastructure and
7 facilities to flood relief work, raw
8 water basin construction and more, is on
9 pace to meet its participation goals.

10 These results are achieved
11 through our successful establishment of
12 collaborative partnerships with internal
13 and external stakeholders. Our Water
14 Department team of Compliance Monitors,
15 Project Engineers, Construction Managers,
16 and our Projects Control Unit all work
17 closely with the Office of Economic
18 Opportunity and other City agencies to
19 support PWD's participation goals, ensure
20 good-faith efforts by contractors, and
21 develop best practices in the area of
22 equitable participation.

23 Through the Economic
24 Opportunity Plans (EOPs) included with
25 many of these projects, we've seen

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2 notable success of the work of oversight
3 committees who help us to ensure the
4 highest level of compliance from the very
5 outset of the project. This
6 collaborative effort with OEO, the City
7 Controller's Office, Labor Standards, and
8 City Council representatives helps us to
9 consistently meet and in some cases even
10 exceed our participation goals.

11 For instance, with our \$19.4
12 million Northern Liberties Flood Relief
13 project, PWD currently stands at 131
14 percent of our participation goal. Other
15 projects such as the Belmont Raw Water
16 Basin, currently at 50 percent of its
17 participation goal, and the Northeast
18 Treatment Plant rehabilitation, currently
19 at 75 percent of its participation goal,
20 are on track to successfully meet their
21 outlined goals by their respective
22 project end dates.

23 While we have met positive
24 levels of success, some challenges to
25 maximizing participation remain. The

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2 current landscape of typical workforce
3 demographics presents notable
4 difficulties in ensuring that
5 participation goals outlined in the City
6 of Philadelphia-mandated Project Labor
7 Agreements (PLAs) can be met. Some of
8 the most sought-after and hardest-to-find
9 workforce members for meeting these
10 agreements include female journey persons
11 and apprentices, all of the trades;
12 minority journey person electricians,
13 carpenters, and operators - the trades
14 titles who have the opportunity for the
15 lion's share of hours and earnings on
16 most jobs; minority apprentices; and City
17 of Philadelphia residents.

18 The obstacles that the gaps in
19 interest, training or awareness bring to
20 finding these workers are made further
21 complicated by the fact that even with
22 PLAs and their related diversity goals in
23 place, it is the general contractors and
24 subs and not the Water Department who
25 solely make candidate recruitment and

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2 hiring decisions.

3 Along with the use of project
4 oversight committees, PWD's hosting of
5 pre-construction workforce meetings and
6 contractor seminars is helping to
7 increase contractors' and subs' awareness
8 of the workforce diversity requirements
9 for the Water Department projects on
10 which they bid. We have seen this result
11 in greater efforts on the hiring
12 decision-makers' parts to diversify the
13 teams of employees selected for the jobs,
14 but the pool of diverse potential
15 candidates meeting hiring eligibility
16 requirements remains extremely modest.

17 Nevertheless, PWD is steadfast
18 in its commitment to doing everything we
19 can to help ensure that every public
20 works job we let delivers the diverse
21 workforce that provides significant,
22 positive impacts to the projects
23 completed, the people who work on them,
24 and the ratepayers who benefit from all
25 of them.

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2 Thank you very much for the
3 opportunity to speak to you today. I'm
4 happy to take any questions that you all
5 may have.

6 MS. DOWD-BURTON: Thank you.
7 Steve, any questions?

8 MR. BRADLEY: The only question
9 I have, professional services, do you
10 have any data on professional services
11 outside of contracting?

12 COMMISSIONER McCARTY: Not on
13 me, but, yes, we do keep track of that
14 too.

15 MR. BRADLEY: I mean, these
16 numbers are very impressive. How are
17 your numbers as far as professional
18 services?

19 COMMISSIONER McCARTY: Off the
20 top of my head, I'd be afraid to -- I
21 mean, I would be afraid to answer that
22 off the top of my head. I didn't come
23 prepared to answer that.

24 MR. BRADLEY: But you do
25 maintain data on your professional

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2 services?

3 COMMISSIONER McCARTY: Yes, we
4 do. I just wanted to confirm before I
5 answer, but, yes.

6 MS. DOWD-BURTON: And I would
7 also say that the professional services
8 activity is monitored by the Office of
9 Economic Opportunity, and the Water
10 Department has had -- and I want to
11 acknowledge Janira Barroso, who has
12 worked for the Office of Economic
13 Opportunity, I think was with the Water
14 Department at the last two, three years.

15 COMMISSIONER McCARTY: Plus
16 years, yeah.

17 MS. DOWD-BURTON: And she has
18 since, as of May, last month, moved on to
19 the Procurement Department, but has been
20 an advocate within the Water Department
21 for professional services as well as
22 public works. And so we'll be happy to
23 share that information with you and
24 follow up with Water for any additional
25 detail you might like.

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2 MR. BRADLEY: I mean, it would
3 just be helpful, because you seem to have
4 a good track record, to share your best
5 practices with the other City agencies,
6 because these numbers are very
7 impressive.

8 COMMISSIONER McCARTY: Thank
9 you.

10 MS. DOWD-BURTON: Very good.

11 And I want to thank you again
12 for all of your hard work. I know you're
13 going to be hard-pressed to fill Janira's
14 shoes.

15 COMMISSIONER McCARTY: Yes.

16 MS. DOWD-BURTON: But we will
17 certainly, as the Office of Economic
18 Opportunity has done in the past, provide
19 you with as much support as we can. We
20 certainly look forward to working with
21 you on our contract compliance reporting.
22 This is our second sort of major rollout
23 with additional training for operating
24 departments as well as the contractors
25 who work for the City to make sure that

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2 we're getting SPIN data into our system.

3 COMMISSIONER McCARTY: Right.

4 MS. DOWD-BURTON: So not only

5 the commitment is made, but actually

6 tracking payments from primes to subs.

7 So we'll be looking forward to working

8 with you on that.

9 COMMISSIONER McCARTY: Yes.

10 And we have folks that have already

11 signed up, so...

12 MS. DOWD-BURTON: Yes.

13 Excellent. Thank you.

14 COMMISSIONER McCARTY: And

15 really it's the team that works with me.

16 I mean, I can't take the credit. I mean,

17 Janira is awesome and then there's a

18 whole team behind that as well. So it is

19 something we are definitely committed to.

20 MS. DOWD-BURTON: Perfect.

21 Thank you again.

22 COMMISSIONER McCARTY: Sure.

23 Thank you.

24 MS. DOWD-BURTON: So our next

25 guest -- I like the word guest as opposed

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2 to testifier, right? Our next guest is
3 Lee Huang, who is the Senior Vice
4 President and Principal for Econsult
5 Solutions, and he is joined -- well, he
6 is joined by Denise Bailey, who is
7 principal of Milligan. And I see his
8 back-up team in the back, so Lee came
9 with enforcements in case you need help.
10 Is that it?

11 (Witnesses approached witness
12 table.)

13 MS. DOWD-BURTON: Please
14 introduce yourself and begin your
15 testimony when you're ready.

16 MR. HUANG: Sure. Lee Huang,
17 H-U-A-N-G, Senior Vice President and
18 Principal at Econsult Solutions.

19 MS. BAILEY: Denise Bailey,
20 Principal, Milligan and Company, LLC.

21 MR. HUANG: And joining me in
22 the back, Brittany Forman, Director of
23 Econsult Solutions, and Brooke Queenan,
24 Research Analyst at Econsult Solutions.
25 They'll answer all the hard questions.

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2 If you have the handout in
3 front of you, we have a number of
4 headlines that we want to go over with
5 you. We will maintain a fairly brisk
6 pace, but certainly welcome questions
7 during this session as well as offline.

8 Committee members, I really
9 thank you for the time that you've given
10 this morning as well as in general on
11 this topic. Very important topic for the
12 City.

13 Starting from Page 2 and to
14 serve as an overview off my and Denise's
15 remarks, I'll be focusing on our core
16 Disparity Study, which is a comparison of
17 the utilization of minority and
18 women-owned businesses relative to their
19 availability in the marketplace, from
20 which we recommend participation goals
21 for the City to advance in subsequent
22 fiscal years. Denise will talk about
23 additional analyses that we've also been
24 asked to do, looking at the distribution
25 of economic opportunity represented by

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2 Economic Opportunity Plans and by the
3 employment that takes place on those
4 EOPs.

5 If you'll turn to Page 3, just
6 to give you a sense of the scope, where
7 the data are possible, we drill down into
8 specific race, ethnicity, and gender
9 categories. We're looking at three main
10 contract types. We are primarily looking
11 at City contracts and those let by quasi
12 public entities. In some cases we're
13 also looking at federally funded City
14 contracts, although those are a slightly
15 different creature.

16 We are looking at awarded
17 contracts, and we are doing so for
18 minority and women-owned businesses that
19 are both prime contractors and
20 subcontractors.

21 And we are looking at the City
22 of Philadelphia as a geography as well as
23 the Philadelphia region, which we're
24 defining as the 11-county metropolitan
25 statistical area.

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2 If you'll turn to Page 4,
3 you'll see a number of major findings
4 from this core Disparity Study analysis.
5 As I think was alluded to earlier by
6 Ms. Dowd-Burton, we are seeing higher
7 utilization on contracts for which the
8 City had major goal-setting influence,
9 which is to say the City and quasi public
10 contracts. Utilization there was 30.6
11 percent.

12 Overall utilization and
13 spending to minority and women-owned
14 businesses continues to increase.
15 Between the Fiscal Year '14 and Fiscal
16 Year '15, it went up by 1.2 percentage
17 points and \$34 million.

18 As I mentioned, we're
19 interested not only in minority and
20 women-owned business utilization, but
21 also utilization of those businesses that
22 are physically located in the City, as
23 was mentioned by a previous testifier,
24 and we're happy to report that that also
25 continues to increase and now represents,

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2 from City contracts only, \$87 million.

3 Now, this notion of a disparity
4 ratio takes a look at utilization divided
5 by availability, the use of minority and
6 women-owned businesses relative to their
7 availability in the marketplace. And so
8 while, as I had just reported,
9 utilization went up, availability also
10 went up. These are both pieces of good
11 news. The City is using as a percentage
12 of its total contract spend a higher
13 proportion of minority and women-owned
14 businesses and there are more minority
15 and women-owned businesses available to
16 them to do business.

17 What that means in the math is
18 that disparity is a fraction. The
19 numerator is utilization; the denominator
20 is availability. The numerator
21 utilization went up; the denominator
22 availability also went up by more. So
23 the disparity ratio actually decreased to
24 0.85. And just for a frame of reference,
25 a disparity ratio of 1 would be, in a

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2 sense, complete utilization proportions
3 matching availability in the marketplace.
4 Any number under 1 means that utilization
5 lags availability. Any number over 1
6 means that utilization is higher than
7 availability.

8 So we were at 0.93 in FY14.
9 We've dropped slightly to 0.85 in FY15.

10 If you'll turn to Page 5,
11 you'll see details on different minority
12 and women-owned business categories and
13 on different contract types - public
14 works, personal and professional
15 services, and services, supplies, and
16 equipment. So you can see the detail of
17 utilization of minority and women-owned
18 businesses in different categories for
19 different contract types for FY14 versus
20 '15.

21 And if you'll turn to the next
22 page, Slide 6, you'll see similar
23 information, but now what we're looking
24 at is the usage of minority and
25 women-owned businesses depending on where

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2 they are physically located. So those
3 that are physically in the City, those
4 that are located within the region but
5 outside the City, and those that are
6 located outside the region altogether.

7 Page 7, I mentioned that we
8 look at both prime contractor and
9 subcontractor participation by
10 minority-owned businesses. This is an
11 important slice of the data, and I'll
12 note that we are seeing growth in the
13 contract size that is primed by minority
14 and women-owned business. In FY14, the
15 average contract size of contracts primed
16 by minority or women-owned businesses was
17 170,000. It is now 210,000. You'll also
18 see that that continues to lag the size
19 of contracts primed by non-minority and
20 non-women-owned businesses.

21 And Page 8 shows a distribution
22 of the number of contracts primed by
23 minority and women-owned firms. That
24 number is down, but the dollar amount
25 that is represented is up.

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2 Moving on to Page 9. And as I
3 had highlighted before, availability, the
4 universe of minority and women-owned
5 businesses that the City has access to in
6 doing business has grown. So the
7 proportion of what are considered ready,
8 willing, and able minority and
9 women-owned businesses located in the
10 Philadelphia metro area went up from 21.4
11 percent in FY14 to 25.5 percent in FY15.

12 And on Slide 10, you'll see
13 additional detail about the availability
14 of businesses located within the City.
15 As you might imagine, the concentration
16 of minority and women-owned businesses in
17 the City is higher than that of the
18 region as a whole.

19 Slide 11, as noted before,
20 because utilization went up but
21 availability went up more, the disparity
22 ratio is down from 0.93 in FY14 to 0.85
23 in FY15.

24 I'm now on Slide 12, and based
25 on all of the information that I have

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2 previously reported, we are recommending
3 the following goals for different
4 contract types and for different minority
5 and women business categories. The
6 suffix U, A or S connotes whether that
7 goal is based on historical utilization
8 or based on historical availability or S
9 for stretch, which means that we are
10 recommending a goal that is higher than
11 both historical utilization and
12 historical availability.

13 And as you can see from the
14 headline, we are recommending an overall
15 participation goal across all contract
16 types and across all minority and
17 women-owned business categories of 35
18 percent.

19 Just to put that number in
20 context, Slide 13, you'll see the
21 historical utilization levels by
22 minority-owned business, by women-owned
23 business, and by different contract type
24 over the last several years, and as you
25 can see, the number is trending up, which

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2 we believe, among other things, supports
3 the higher goal that we are putting forth
4 for future years.

5 And Slide 14 is identical to
6 Slide 13 but in dollar terms, so that you
7 can see not only in proportions but also
8 in raw dollar levels the amount of
9 economic opportunity represented by City
10 contracts that are going to
11 minority-owned businesses.

12 With that, I'm going to turn
13 things over to Denise Bailey from
14 Milligan and Company.

15 MS. BAILEY: Thank you, Lee.

16 On Page 15, we have a summary
17 of achievements and recommendations. If
18 you look at the achievements, I summarize
19 them in three broad categories. The
20 first three are talking about increasing
21 numbers. As Lee talked about, the annual
22 participation goal has been exceeded.
23 Prime contractors are priming larger
24 contracts, and the OEO registry continues
25 to grow.

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2 The next set of four points
3 about achievements really point to the
4 monitoring and tracking that OEO is doing
5 and our ability to use them in
6 goal-setting and in setting
7 recommendations.

8 Two of those that we really
9 focus on are the OEO Contract Compliance
10 Reporting System, CCRS as we refer to it,
11 and the LCP Tracker, which has allowed us
12 this year to add EOP employment reporting
13 and goal recommendations into this
14 overall disparity.

15 The last three bullets really
16 point to building capacity, which is an
17 important part of any goal that you set
18 or any achievement that you make. And so
19 increased opportunities for networking,
20 for accessing financing, and for finding
21 out more about how to do business with
22 the City of Philadelphia are all areas
23 where OEO has added quite a bit of
24 emphasis.

25 If we go over to the

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2 recommendations side, one of the things
3 that we look at is getting more
4 recommendations for exploring
5 availability in the few or no opportunity
6 categories, both in context of looking
7 more closely at those opportunities and
8 looking at the ability to attract women,
9 minority, and disabled businesses to join
10 the registry to be able to take advantage
11 of those opportunities. Hand in hand
12 with that goes to enhancing the work
13 that's going to disabled-owned
14 businesses, again with increased outreach
15 and additional folks in the registry.
16 Also looking at strategies to increase
17 prime contracting in public works
18 contracts. And so some of the areas such
19 as bonding, understanding how to operate
20 with Project Labor Agreements, and
21 financing are areas that we've
22 recommended for that.

23 Also looking at monitoring and
24 tracking more the non-profit in those
25 tier 2 opportunities that exist with

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2 non-profit agencies is one area that
3 we've recommended the OEO look more
4 closely at, and I know they've started
5 doing that.

6 The other thing that we
7 continue to do both as an achievement and
8 to look for as a recommendation is to
9 keep our eye on what the national trends
10 are. And so we look at some of the other
11 first-class cities, not only what their
12 goals are but how they attract folks into
13 their registry, how they build their
14 registry, and the depth and breadth of
15 some of their programs, potentially
16 including other groups beyond their
17 traditional minority, women, and disabled
18 groups.

19 And that's a summary of our
20 achievements and recommendations that we
21 highlighted.

22 If you go to Page 16, you'll
23 look at -- this is the second year that
24 we've had Economic Opportunity Plan
25 analysis as part of the Disparity Study.

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2 One of the overarching reasons to do that
3 is to really test the validity of our
4 goals, particularly our stretch goals.
5 And so we look at the EOPs for those
6 achievements.

7 There were 623 active and
8 closed jobs that we looked at from the
9 span of 2009 to 2015. And so that's
10 quite a large chunk of data to look at
11 and many variety of plans.

12 We looked at 557 in particular
13 for this analysis. Those are the plans
14 for which there was reported data in the
15 systems.

16 Like the EOP Dashboard that's
17 on OEO's website, we look at these EOP
18 plan achievements in a number of ways.
19 We look at actual versus committed by
20 dollars and by number of EOP contracts.
21 We look at active versus closed. We look
22 at them through the variety of contract
23 size. We look at how well they do based
24 on type of commitment, and we look at it
25 on a department basis.

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2 Looking over on Page 17, you'll
3 see some arrows that really represent --
4 if you look at the bottom chart, 79
5 percent of aggregate contract dollars
6 meant 90 percent of commitment levels,
7 and that represents 84 percent of the --
8 I'm sorry; 84 percent on the bottom of
9 all contracts reported met 90 percent of
10 the goal, and that represents 79 percent
11 of aggregate contract dollars. And so we
12 really focus on the 90 percent goal to
13 test the validity of our goal-setting
14 given that we also track which of those,
15 54 percent of all contract and 52 percent
16 of all contract dollars, met or exceeded
17 the actual goal.

18 If you look on Page 18, that's
19 presented in chart value also, similar
20 information but in a chart value. Two of
21 the numbers that I do want to look at are
22 the closed by contract dollar and by
23 number of contracts. Both of those
24 numbers are up from 2014, which was the
25 first year we looked at the EOP. And so

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2 that has given us a sense that some of
3 the increased monitoring and reporting
4 that's going on is helping those
5 contracts as they close achieve more than
6 previously reported. And so that too is
7 a positive trend.

8 When you look at Page 19, this
9 focuses on the employment analysis. This
10 is the first year that the Disparity
11 Study has focused on employment, and
12 we're pulling this information from the
13 City's LCP Tracker database. The time
14 period we looked at was any construction
15 contract that began in January 2014
16 through June 2015, and so we've looked at
17 that 18-month slice.

18 We analyzed 365 of the EOPs for
19 which there was specified data available
20 to us. We looked at all labor hours, and
21 we also looked at it by the slices of
22 labor and skilled hours.

23 As Lee described before, in
24 attempting to set a goal, we want to
25 first look at disparity, and disparity is

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2 utilization divided by availability.

3 Current goals that are set for
4 the City, 32 percent for racial and
5 ethnic minorities and 7 percent of all
6 work hours for women.

7 If you look at Page 20 of 25,
8 you will see that utilization overall;
9 that is, minority and women work hours
10 that were actually achieved on these
11 projects, was 2.9 percent for women, 38.6
12 percent for minorities. And for the
13 minorities, we split it among the racial
14 lines, and all of these also describe
15 both the laborer split and the skilled
16 worker split. The skilled worker
17 category include approximately 30
18 different types of trades that were
19 identified as the skilled pool.

20 If you look at -- that was
21 utilization. If you look at
22 availability, for availability we looked
23 at census data from the American
24 Community Survey EEO data. We look both
25 at data in the MSA and in the City

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2 itself, and we lean more heavily towards
3 the City figures as being more accurate
4 for what the attainment could be. So if
5 you look at the availability in the City
6 of Philadelphia, you'll see that overall
7 for minority, there's a 45 percent
8 availability and for women 3.3 percent.
9 And you also see the split between the
10 racial and ethnic lines and between
11 laborer and skilled.

12 And so we use this information,
13 utilization divided by availability, to
14 do a similar look at what the disparity
15 may be. So what you'll see for laborer
16 is that for minority in the laborer
17 category, we're very close to 1 at 0.99,
18 but for skilled, everyone is below the 1,
19 the disparity of 1. And so we look --
20 except for women in skilled labor, which
21 has a disparity ratio of 1.58.

22 Overall we're at 0.86 as a
23 disparity label for minorities and 0.88
24 for women.

25 All of these figures are then

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2 taken and combined together, the
3 utilization, the availability, for us to
4 recommend for OEO some different goals
5 perhaps as it goes through its important
6 work. As you'll see, we say to consider
7 setting a higher overall minority goal
8 and perhaps having different goals for
9 skilled versus laborer. So right now we
10 are recommending 60 percent for laborer,
11 30 percent for skilled, for an overall of
12 40 percent.

13 You also see that based on the
14 utilization and availability by ethnicity
15 and race, that perhaps OEO would consider
16 a different goal-setting by different
17 category.

18 What's not depicted on here is
19 the female goal, which we recommend to be
20 at 5 percent, which is a little higher
21 than the 3 percent utilized but lower
22 than the current goal of 7 percent.

23 Slide 24 talks about some of
24 the findings and recommendations around
25 these goals. Of course, nothing happens

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2 in a vacuum. And so we've talked before
3 about using the data that we've seen,
4 both utilization and availability, to
5 perhaps differentiate some of the labor
6 goals that are currently being used.

7 What we also want to do too is
8 focus on not just the big EOPs, which are
9 very important, but also look at the
10 smaller EOPs. What you'll see in the
11 report is that three of the projects that
12 we looked at carry nearly a quarter
13 percent of -- a quarter of all minority
14 goals. So that means that those three
15 projects were really exceeding the goals
16 and were perhaps taking up the slack for
17 many number of goals, two-thirds of the
18 projects that weren't meeting their
19 minority goal. And so continue to focus
20 on the big ones, but also add emphasis on
21 the small ones too.

22 And as we've talked about here,
23 it's all about pipeline. When you look
24 at labor, when you look at how do we
25 create more onramps and understand more

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2 the market for the apprenticeship, the
3 new hires, and the journey person
4 procedures, that doing more in that space
5 will create, we believe, the pipeline for
6 additional utilization and potentially
7 higher goals.

8 Thank you.

9 MS. DOWD-BURTON: Wow. So I'm
10 familiar with this.

11 Steve, I know this is a lot.
12 Any questions that you have at this point
13 or would you like to double-back at some
14 point?

15 MR. BRADLEY: Yes. This is
16 helpful. The data is helpful.

17 MS. DOWD-BURTON: So I'm just
18 going to ask one question, because what I
19 hear from the community is more around --
20 and we just heard from Ms. Roberts -- the
21 focus on local businesses, and in the
22 recommended goals, we have a goal of 15
23 percent. And so can you speak to that
24 for just a moment.

25 MR. HUANG: Sure. And for

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2 those of you who have the handout, that
3 would be Pages 12 and 13 -- excuse me.
4 Yes, 12 and 13. And we understand both
5 the longtime commitment of OEO and the
6 prioritization of our new Mayor in
7 encouraging increased economic
8 opportunity for locally owned business,
9 and we have produced a City-based
10 minority and women-owned business goal
11 for the last several years. It is
12 currently at 15 percent, which would be
13 higher than the current utilization,
14 which we believe to be in the 13's.

15 Availability is harder to get
16 our hands around, but it is likely much
17 higher, probably in the low 30's to mid
18 30's. So I think that a 15 percent goal
19 is definitely warranted and perhaps could
20 be on the very low side. So we hope that
21 in future years, that goal will be
22 exceeded and could and the data may
23 suggest should be comfortably exceeded in
24 the future.

25 MS. DOWD-BURTON: So just as a

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2 quick followup, have you seen a trend
3 across the country for a preference given
4 to local businesses in major metropolitan
5 areas?

6 MR. HUANG: A couple answers to
7 that. One is that we are seeing a
8 suburbanization of minority-owned
9 businesses over time. So the
10 availability of minority-owned businesses
11 for cities to do business with is -- the
12 geography is growing. However, you're
13 also seeing cities like Philadelphia take
14 seriously the economic gain to the local
15 economy from selecting locally owned
16 businesses, and I do think that that is
17 part of a national trend that
18 acknowledges the fact that businesses
19 that are located in the municipality that
20 you represent, the more economic
21 opportunity that they have access to, the
22 more economic impact that will be enjoyed
23 in that economy. So that is something
24 that we're seeing here and it's very much
25 connected to a national trend.

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2 MS. DOWD-BURTON: Okay. Thank
3 you.

4 MR. BRADLEY: Can you share
5 your research? What type of research do
6 you actually do? Are you actually going
7 out into the communities? Are you
8 online? How are you doing most of your
9 research to come up with the data?

10 MR. HUANG: For the core
11 Disparity Study, we benefit from the very
12 good data that is collected by the City
13 itself in terms of the contracts that
14 we're looking at. The City collects very
15 good information on contract type and on
16 the prime and subcontractors that those
17 contracts are awarded to. So that makes
18 the utilization side of the house very
19 easy to do from a statistical analysis
20 standpoint.

21 Availability is much more
22 difficult to put your hands on. Other
23 cities and states and state departments
24 of transportations when they are trying
25 to determine availability so that they

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2 can compare it to their utilization for
3 the purpose of goal-setting will conduct
4 significant primary research efforts,
5 getting information from chambers of
6 commerce, conducting surveys, buying
7 business data. So that is something that
8 has been done and can be done.

9 For the purpose of our
10 annual -- and those studies tend to be
11 done every three to five years.

12 For the purpose of our study,
13 we look at census data. There is a
14 Survey of Business Owners that's done
15 every five years, which we believe is a
16 pretty good proxy for the distribution of
17 businesses by industry and by race,
18 ethnicity, gender of the owner. It is,
19 by no means, perfect, but I would argue
20 that availability in general is very
21 difficult to get your hands on, what is
22 the true percentage of ready, willing,
23 and able businesses that the City can do
24 business with that are African
25 American-owned, female-owned,

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2 Asian-owned, et cetera, et cetera. You
3 can only proxy that with data that you
4 have available. And so heretofore we've
5 used the Census's Survey of Business
6 Owners data.

7 MR. BRADLEY: I mean, that's
8 something the Chamber, we've been trying
9 to do over the last three to four years,
10 is really get data and surveys from
11 membership, and it's been very
12 challenging to get good responses.

13 MS. DOWD-BURTON: All right.
14 So that wraps up. Thank you.

15 MR. BRADLEY: Thank you.

16 MS. DOWD-BURTON: We will be
17 publishing it is now three volumes.
18 We'll be publishing those volumes this
19 week and distributing them to Council.

20 Thank you very much, Lee and
21 Denise, for your help and support here.

22 MR. HUANG: Thank you.

23 MS. BAILEY: Thank you.

24 MS. DOWD-BURTON: Our next
25 speaker is Tiffany, Ms. Tiffany Millner,

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2 who is with ACE Mentor Program.

3 (Witness approached witness
4 table.)

5 MS. DOWD-BURTON: We're very
6 happy to have you here. We thank you for
7 your patience. And for the sake of time,
8 I'm going to ask that you begin,
9 introduce yourself, begin your testimony,
10 and we will probably have to table our
11 final presentation.

12 I get a thumbs up from
13 Mr. Nicholas Jann, who has our dashboard
14 online, and we'll be certainly interested
15 in answering anyone's questions that call
16 the Office of Economic Opportunity and
17 don't see what they're looking for. Of
18 course, our number 215-683-2057 -- 2057.
19 Thank you. 683-2057.

20 All right. Now, Ms. Millner,
21 please proceed.

22 MS. MILLNER: Thank you. Good
23 morning, everyone, and special thanks to
24 the members of the Economic Opportunity
25 Review Committee for inviting us and

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2 allowing me to provide this testimony on
3 behalf of my organization, the ACE Mentor
4 Program.

5 My name is Tiffany Millner and
6 I am the Affiliate Director of the ACE
7 Mentor Program of Eastern PA, and I am
8 also an architect. The ACE Mentor
9 Program of Eastern Pennsylvania is the
10 local affiliate of the national
11 non-profit organization. It is an
12 acronym for Architecture, Construction,
13 and Engineering. Our mission is to
14 engage, excite, and enlighten high school
15 students in order for them to consider or
16 pursue careers in the integrated design
17 and construction industry, and this is
18 through mentoring, scholarships,
19 exposure, and grants.

20 Students are recruited from
21 public and private high schools in the
22 Philadelphia area and Montgomery County
23 suburbs, with special effort made to
24 reach traditionally underrepresented
25 women and minorities in the industry.

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2 As a design and construction
3 industry's fastest growing high school
4 mentor program, the ACE reaches over
5 8,000 students annually. This particular
6 year in the Eastern PA affiliate, we had
7 250 students here in the Center City
8 area, and there were 160 in Montgomery
9 County. That was also echoed by 110
10 mentors, all design and construction
11 industry professionals here in Center
12 City and a little over 20 in Montgomery
13 County.

14 ACE relies on a network of
15 volunteer mentors ranging from
16 architects, engineers, and construction
17 managers, contractors and subcontractors,
18 all industry professionals with little to
19 zero youth development backgrounds. They
20 are all strictly from industry coming out
21 of the office.

22 The program emphasizes all
23 aspects of design and construction
24 industry careers, from the professional
25 college career paths to those interested

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2 perhaps in the building trades. By
3 informing and exposing students to the
4 myriad construction career options, ACE
5 is helping to build a talented
6 construction workforce diverse for the
7 future.

8 ACE follows a group mentoring
9 model. Eight to ten mentors representing
10 these different disciplines will serve
11 about 20 to 30 students from about
12 November to May on a biweekly basis.
13 That's maybe possibly twice a week, but
14 we've actually -- twice a month, but
15 we've actually had students that have
16 requested to meet weekly now.

17 These teams, they actually
18 visit mentors' offices. So here in
19 Center City the model is that the
20 students are actually meeting in the
21 offices of architects, engineers, and
22 contractors. So not only are they
23 getting a brief overview of the industry,
24 they are actually getting the soft skills
25 and the professional skills, how to carry

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2 themselves, how to shake someone's hand,
3 and what to do with that business card
4 once you get it.

5 So ACE is one of a kind. ACE
6 stands apart from other educational
7 workforce programs because we target high
8 school students just at their start to
9 explore career options. They teach
10 students about the entire design and
11 building process, because we're not just
12 focusing on architecture and engineer.
13 We're focusing on the entire industry
14 connection so they understand how the
15 industries collaborate. And we rely
16 exclusively on the passionate industry
17 professionals to excite and mentor
18 students.

19 ACE increases diversity. ACE
20 increases diversity in architecture,
21 construction, and engineering program
22 enrollment. The percentage of Hispanic
23 ACE alumni entering civil, mechanical,
24 and electrical engineering programs is
25 almost four times the rate of their

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2 non-ACE counterparts. The percentage of
3 African American ACE alumni entering into
4 civil, mechanical, electrical engineering
5 programs is almost three times the rate
6 of their non-ACE counterparts.

7 The number of college freshmen
8 planning to enroll in architectural
9 programs who are ACE alumni constitutes
10 almost 10 percent of all college freshmen
11 entering into architectural programs on a
12 national level. According to the Higher
13 Education Research Institute at UCLA, of
14 those students, the minority mix - Asian,
15 African American, and Hispanic - was two
16 to four times greater for ACE students
17 than for normal national freshmen.

18 Female ACE Program participants
19 enter college engineering programs at
20 double the national rate of their
21 national non-ACE counterparts.

22 Twenty-nine percent of ACE college
23 freshmen planning to major into civil,
24 electrical or mechanical engineering were
25 female versus 15 percent of college

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2 freshmen nationwide who plan to major in
3 the same industries.

4 More low-income students are
5 enrolled in the ACE Program than any
6 other after-school program as a whole.
7 Fifty-nine percent of the students in our
8 ACE Mentor Program were from low-income
9 families or attended Title I schools
10 versus 41 percent of youth in
11 after-school programs across the country
12 who were also from low-income families.
13 And I actually have a little bit of
14 literature that substantiates these
15 numbers that was just developed by our
16 umbrella ACE national organization.

17 Mentoring is playing a key role
18 in our industry because it's an integral
19 component to the successful development
20 of a new generation of workers. Mentors
21 are key components in this developmental
22 network as they serve at the intersection
23 of professional development and personal
24 connection.

25 A mentor isn't exactly an

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2 advisor, it's not a teacher, and they're
3 not a friend. They are all of these
4 things combined to allow for a supportive
5 relationship to begin.

6 Speaking on a personal level,
7 as I stated, I am an architect and of
8 only about one of 300 African American
9 female architects in the nation, and it's
10 an astounding number, and I knew that it
11 was my personal mission to, one, step
12 from behind the desk and make myself --
13 sorry. I had to make myself seen. It
14 was a hard decision, because ultimately
15 being one of very few, it came with a lot
16 of criticism, but I knew at the end of
17 the day that my role in this role as a
18 director of a non-profit and in this
19 capacity, I can have a little bit more
20 impact than designing for developers.

21 The design and construction
22 industry is in desperate need of more
23 professionals taking this initiative and
24 serving in this role. If for nothing
25 more than for business preservation. If

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2 younger generations do not have the
3 exposure or the ability to see others
4 that they may want to emulate, how are
5 they ever going to aspire to achieve
6 these roles? So it's not only the
7 responsibility of industry leaders to
8 find creative ways to give back, it is
9 the responsibility of people on all
10 career levels to just be role models, a
11 source of inspiration in order to support
12 the pipeline into our industry.

13 Thank you very much. I
14 appreciate the time.

15 MS. DOWD-BURTON: Thank you
16 very much for being here. We certainly
17 understand and appreciate your passion.

18 Your number, one in 300 females
19 across the country, is, as you say,
20 staggering. Do you happen to know the
21 number of people of color who are in
22 architecture compared to the total?

23 MS. MILLNER: Yes. People of
24 color -- there's a website, blackarchedu.
25 There are definitely about 1,500 African

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2 American males versus the 300. So we're
3 looking close to about 2,000 African
4 American registered architects in the
5 nation right now.

6 MS. DOWD-BURTON: Out of how
7 many, approximately?

8 MS. MILLNER: Oh, my goodness.

9 MS. DOWD-BURTON: If I'm
10 testing you, it's okay.

11 MS. MILLNER: I know that my
12 percentage is about 0.02 percent of
13 population. So we might be looking at
14 around like 100,000.

15 MS. DOWD-BURTON: Okay. Thank
16 you so much.

17 MR. BRADLEY: You should be
18 commended for coming behind the desk and
19 actually being a role model, being
20 visible. Congratulations for taking that
21 leap of faith.

22 MS. MILLNER: Thank you. Thank
23 you.

24 MS. DOWD-BURTON: So thank you
25 again. Have a wonderful week. Certainly

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2 we'll be checking in on you from time to
3 time. We know that University of Penn
4 and Temple and others are very much
5 engaged in the ACE Program. So we will
6 continue to support and broadcast your
7 service and certainly your passion.

8 MS. MILLNER: Awesome. Thank
9 you. I really appreciate it.

10 MS. DOWD-BURTON: You're
11 welcome.

12 Okay. So I have a number of
13 events that are coming up. One is the
14 African American Town Hall Meeting, which
15 is going to be on June 23rd, and it is
16 featuring Mr. Howard Epps, along with
17 Rebecca Rhynhart, who will be talking
18 about the efficiencies that are going
19 into the City systems to help hopefully
20 attract more businesses to do business
21 with the City. And so we ask everyone to
22 sort of stay tuned, take a look at the
23 OEO website. It's Community College,
24 3:00 to 5:00 on June 23rd.

25 There's also a Drexel

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2 University Economic Summit, of which
3 Mr. Epps will also be presenting the
4 state of black Philadelphia businesses.

5 And so we ask you to check out Drexel
6 University and the National Black MBA
7 Association, who are sponsoring those two
8 programs, along with many others.

9 Our Doing Business with the
10 City is scheduled for June 22nd. We run
11 that program once a month, with the
12 exception of July and August. So we look
13 forward to seeing those businesses who
14 are interested in doing more with the
15 City of Philadelphia to come out to those
16 particular meetings.

17 And so that sort of wraps up
18 the second quarter of the Economic
19 Opportunity Review Committee meeting.

20 Steve, any closing comments
21 from you?

22 MR. BRADLEY: Very productive
23 meeting.

24 MS. DOWD-BURTON: I thought it
25 was very productive as well and

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2 informative.

3 Thank you very much for

4 listening and for being here.

5 (Economic Opportunity Review

6 Committee concluded at 11:40 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the proceedings, evidence and objections are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter, and that this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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Economic Opportunity Review Committee
June 13, 2016

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