

Economic Opportunity Review Committee  
March 5, 2018

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ECONOMIC OPPORTUNITY REVIEW  
COMMITTEE

Room 400, City Hall  
Philadelphia, Pennsylvania  
Monday, March 5, 2018  
10:00 a.m.

PRESENT:

IOLA HARPER, Executive Director, Office of  
Economic Opportunity, Chair  
MICHAEL BANKS, President and CEO,  
African-American Chamber of Commerce  
ETHELIND BAYLOR, Vice President, AFSCME  
District Council 47  
JENNIFER RODRIGUEZ, President and CEO,  
Philadelphia Hispanic Chamber of  
Commerce  
SHERMAN HARRIS, Assistant to the President  
of AFSCME District Council 33

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2 CHAIRWOMAN HARPER: Good  
3 morning. We are going to call our  
4 Economic Opportunity Review Committee  
5 meeting to order. My name is Iola Harper  
6 and I am the Deputy Commerce Director for  
7 the City of Philadelphia charged with  
8 leading the Office of Economic  
9 Opportunity.

10 I'd like to offer some brief  
11 context for those of you who have not  
12 been to this meeting before to give you a  
13 brief overview of the history and purpose  
14 of the EORC.

15 In 2012, City Council  
16 introduced an ordinance which called for  
17 the creation of this Committee, the  
18 Economic Opportunity Review Committee,  
19 17-1607 of The Philadelphia Code. The  
20 work of this Committee includes a number  
21 of things. One of them is to oversee and  
22 facilitate a public review of the  
23 implementation, effectiveness, and  
24 enforcement of Equal Opportunity Plans.  
25 Another is taking public testimony

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2 related to diversity and inclusion in the  
3 City and being responsive to that  
4 testimony. A third is facilitating  
5 public access to keep information that  
6 will enhance and enable minority, women,  
7 and disabled business owners to  
8 successfully do business in the City of  
9 Philadelphia. And, finally, this is the  
10 Committee that will make recommendations  
11 to the City Council for the adoption of  
12 resolutions calling for the appropriate  
13 remedial and legal remedies where we see  
14 flagrant violations to inclusion  
15 commitments made by contractors and  
16 subcontractors on City contracts.

17 These meetings are held on a  
18 quarterly basis, and the transcripts of  
19 this and all previous meetings are  
20 available online at the OEO website,  
21 which can be found at [phila.gov/OEO](http://phila.gov/OEO).

22 I'd like to ask the members of  
23 the EORC that are here to introduce  
24 themselves at this time.

25 MR. BANKS: Good morning.

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2 Michael Banks, African American Chamber  
3 of Commerce.

4 MS. BAYLOR: Good morning.

5 Ethelind Baylor, Vice President of AFSCME  
6 District Council 47.

7 CHAIRWOMAN HARPER: We have two  
8 other members that are not yet present,  
9 and they may join us at some time during  
10 this meeting.

11 I'd like to thank you both for  
12 your time and wisdom today, and now we'll  
13 move on to the agenda.

14 We have four speakers for  
15 today. We have Tiffany Spraggins-Payne,  
16 the Director of the USDOT SBTRC, alphabet  
17 soup, is going to come and tell us what  
18 that is and to share with us about their  
19 Bonding Education Program for minority  
20 contractors.

21 Gabrielle Wanamaker is the Vice  
22 President of Business Programs at The  
23 Enterprise Center, and she is going to  
24 share with you something I'm pretty  
25 excited about, is the ability for

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2 disabled business owners as well as  
3 minority business owners to be certified  
4 now at The Enterprise Center.

5 We will have Andrew Magnus, the  
6 owner and President of BTC Envelopes and  
7 Printing. He's going to come and share  
8 his recent experience doing business with  
9 Philadelphia and offer some suggestions  
10 to the Committee.

11 And then we will have Yvonne  
12 Farrell from the Office of Economic  
13 Opportunity, who will give key updates  
14 from OEO.

15 So I'd like to ask Tiffany  
16 Spraggins-Payne to please come up to the  
17 desk.

18 (Witness approached witness  
19 table.)

20 CHAIRWOMAN HARPER: And you can  
21 start whenever you're ready.

22 MS. SPRAGGINS-PAYNE: Thank  
23 you. Good morning, illustrious members  
24 of the Economic Opportunity Review  
25 Committee. My name is Tiffany

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2 Spraggins-Payne, Project Director, and I  
3 bring greetings on behalf of the U.S.  
4 Department of Transportation Mid-Atlantic  
5 Small Business Transportation Resource  
6 Center. Our office is located in The  
7 Enterprise Center, which is located at  
8 4548 Market Street, and we are  
9 responsible for the designated  
10 geographical scope which is Maryland,  
11 Pennsylvania, Delaware, and New Jersey.  
12 We provide a holistic suite of services  
13 to transportation-related small and  
14 disadvantaged businesses as well as our  
15 strategic partners. We act as a hub in  
16 the Mid-Atlantic region on behalf of the  
17 U.S. Department of Transportation's  
18 Office of Small Business Disadvantaged  
19 Utilization.

20 Today I'm going to talk to you  
21 a little bit about our Bonding Education  
22 Program. Our Bonding Education Program  
23 is -- we partner with the Surety Fidelity  
24 Association of America. The focus is to  
25 help small businesses to become

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2 bond-ready.

3 The Bonding Education Program  
4 is a hands-on, multi-component,  
5 contractor development program designated  
6 to address what small businesses need to  
7 do to become bond-ready. The Bonding  
8 Education Program offers one-on-one  
9 sessions and local surety bond  
10 professionals to help in assembling the  
11 materials necessary for a complete bond  
12 application. This program is tailored to  
13 the business competing for  
14 transportation-related contracts.

15 By having small emerging and  
16 minority contractors work one-on-one with  
17 bond producers, underwriters, and other  
18 surety professionals as a part of the  
19 program, these contractors learn what is  
20 needed to become -- to manage and grow  
21 and sustain their business by developing  
22 trusted base relationships with the  
23 licensed surety bond producers as well as  
24 strengthening their ability to bid on  
25 projects. Ultimately, contractors

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2 realize bonding is a tool that can be --  
3 that can support economic empowerment,  
4 sustainability, job creation, and legacy.

5 With that said, we are going to  
6 be kicking off our Bonding Education  
7 Program at The Enterprise Center on March  
8 the 14th. The aim is to support 20 to 25  
9 small businesses to help them to gain  
10 access to these opportunities that we  
11 just mentioned.

12 In partnership with the Streets  
13 Department as well as the Office of  
14 Economic Opportunity and The Enterprise  
15 Center, we look to host this program to  
16 provide an array of services, wraparound  
17 services, to these businesses. They will  
18 not only receive that one-on-one  
19 coaching, they'll receive group coaching  
20 as well.

21 We are very fortunate that Iola  
22 Harper will be opening us up at the  
23 kick-off to talk about economic  
24 opportunities here in the City of  
25 Philadelphia as well as across



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2 Pennsylvania. For more information about  
3 registering for our Bonding Education  
4 Program, one can visit our website at  
5 [www.masbtrc.com/dep/philadelphia-2018/](http://www.masbtrc.com/dep/philadelphia-2018/).

6 CHAIRWOMAN HARPER: Thank you.

7 MS. SPRAGGINS-PAYNE: You're  
8 welcome.

9 CHAIRWOMAN HARPER: Any  
10 questions for Tiffany?

11 MS. BAYLOR: I noticed that  
12 when I looked on the website -- and I'm  
13 not sure if maybe I went to the wrong  
14 website -- what programming was done in  
15 the year 2017?

16 MS. SPRAGGINS-PAYNE: I'm  
17 sorry?

18 MS. BAYLOR: What programming  
19 has been done in the year 2017 regarding  
20 bonding education, the workshops that  
21 you're offering now? Was this offered in  
22 2017?

23 MS. SPRAGGINS-PAYNE: It was.  
24 So this program has nationally been  
25 instituted -- was instituted back in

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2 2010, but as far as our center is  
3 concerned, we hosted a Bonding Education  
4 Program in Pittsburgh in 2017. We had 22  
5 small businesses registered. We had 18  
6 of that amount graduate. Four actually  
7 obtained a bonding capacity of 400,000 or  
8 higher before they actually graduated the  
9 program.

10 One of the things that I failed  
11 to mention, that this is a nine-week  
12 program that is hosted nightly for about  
13 three hours.

14 We also had 27 stakeholders  
15 that participated in that Bonding  
16 Education Program as well. And we're  
17 very fortunate to have one of the former  
18 or I should say alum of the Bonding  
19 Education Program in 2006 come back and  
20 be the keynote speaker to talk about how  
21 to manage growth opportunities and  
22 leverage partnerships with prime  
23 contractors.

24 MS. BAYLOR: And my last  
25 question for you is, how is this being

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2 promoted and advertised to the small  
3 business minority community about this  
4 nine-week course that's going to start on  
5 March 14th.

6 MS. SPRAGGINS-PAYNE: Thank  
7 you. Great question. So we've been very  
8 fortunate that the Office of Economic  
9 Opportunity, the Commerce Department has  
10 been promoting it for us, as well as the  
11 Streets Department. We've also asked  
12 local Councilwoman Jannie Blackwell to  
13 promote it through her office as well as  
14 David Oh's office. We've also asked  
15 SCORE Philadelphia Chapter to get the  
16 word out about the program, and of  
17 course, our host organization, The  
18 Enterprise Center, has been sharing it  
19 widely.

20 MS. BAYLOR: Thank you.

21 CHAIRWOMAN HARPER: Can you  
22 share the profile of the ideal candidate  
23 for this program as well as -- and you  
24 might have said this -- if there are any  
25 fees related to participation.

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2 MS. SPRAGGINS-PAYNE: Thank  
3 you. Great question. So the eligibility  
4 for the program is that the business  
5 owner must be in business at least two  
6 years. They must have at least two  
7 full-time employees, one being the owner  
8 themselves and either two part-time  
9 equivalent or one other full-time  
10 equivalent. They must have an annual  
11 revenue of 250K or higher. They must be  
12 or in pursuit of a DBE certification, MBE  
13 certification, WBE certification, 8(a)  
14 disadvantaged veteran-owned  
15 certifications as well.

16 CHAIRWOMAN HARPER: Any  
17 questions?

18 MS. BAYLOR: Any fee?

19 CHAIRWOMAN HARPER: Oh.

20 MS. SPRAGGINS-PAYNE: Thank  
21 you. This is a free program provided by  
22 the U.S. Department of Transportation, so  
23 there's no fee associated. Thank you.

24 CHAIRWOMAN HARPER: Thank you,  
25 Tiffany.

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2 MS. SPRAGGINS-PAYNE: Thank you  
3 for your time.

4 CHAIRWOMAN HARPER: I'd like to  
5 welcome Gabrielle Wanamaker up to share  
6 about the new certification services that  
7 are available through The Enterprise  
8 Center.

9 (Witness approached witness  
10 table.)

11 MS. WANAMAKER: Good morning,  
12 everyone.

13 CHAIRWOMAN HARPER: Good  
14 morning.

15 MS. WANAMAKER: It's an honor  
16 to present to you and it is even more an  
17 honor to have been certified by the City  
18 to certify minority-owned and disabled  
19 businesses to do business with the City  
20 of Philadelphia.

21 Just recently there was a study  
22 that was completed in Atlanta to look at  
23 the impact of what being certified means  
24 to -- this study was for minority-owned  
25 businesses, and the results of the study

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2 said that minority-owned businesses that  
3 were certified were four times as likely  
4 to win a contract as those that weren't.  
5 So we know by their results that being  
6 certified does have an impact.

7 What we're very excited about  
8 is that we tend to work with smaller  
9 businesses. Our client base in terms of  
10 revenue and sales runs between 50,000 to  
11 50 million, but many of our smaller  
12 businesses are not necessarily familiar  
13 with certification and certainly are not  
14 necessarily familiar with the advantage  
15 that certification can give them, and  
16 certainly to be able to grow  
17 significantly, a contracting opportunity  
18 often makes a big difference for a small  
19 business, and it does a couple of things.  
20 Obviously it adds increased revenue to  
21 their bottom line, but then they become  
22 more sophisticated in the bidding process  
23 and writing proposals and understanding  
24 what's important to their commercial  
25 clients.

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2 We're looking at a variety of  
3 business owners, some who have been  
4 retail in the past, have the capacity to  
5 become commercial but haven't had a  
6 vehicle to get there. And so we are very  
7 excited about those businesses that will  
8 have the first opportunity to sell in a  
9 commercial basis and grow beyond their  
10 retail business.

11 We just launched on Friday.  
12 We've got approximately 15 businesses  
13 that are in line to be certified. Our  
14 decision was to go slowly for these first  
15 two months and make sure that our process  
16 actually works and make any adjustments  
17 that may be needed to be able to perfect  
18 it.

19 We're working to have a  
20 timeline of turnaround no longer than 90  
21 days, and our target is actually 60 days  
22 or less.

23 Questions for me?

24 CHAIRWOMAN HARPER: Okay. I  
25 don't have a question. I do want to say

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2 I'm really thrilled that you are up and  
3 running and that I think one of the  
4 things that's really important for our  
5 office is increase in availability of  
6 firms that are able to do business with  
7 the City. And so having another entity  
8 who is looking really at local small  
9 businesses as a focus is, I'm hoping,  
10 going to be a good thing for OEO as well  
11 as for the City as a whole.

12 MS. RODRIGUEZ: Good morning.  
13 What is the fee for the service and who  
14 do you envision being your target market  
15 for this?

16 MS. WANAMAKER: So the fee is  
17 \$200 a year. The term of certification  
18 is one year and you renew annually. The  
19 renewal process is, I will say, for lack  
20 of a better word, a little less tedious  
21 than the first time around, so you're  
22 updating the information that you've  
23 already submitted.

24 So we are looking at smaller  
25 businesses in the City and beyond



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2 actually who can provide a service or a  
3 product that's needed by OEO. So that  
4 door is relatively wide and it just  
5 really depends on the needs of the City  
6 at any particular time.

7 MS. RODRIGUEZ: Do you have any  
8 eligibility requirements that you -- so  
9 in referring individuals to The  
10 Enterprise Center, are there any sort of  
11 eligibility requirements we might need to  
12 know?

13 MS. WANAMAKER: Yes. So one of  
14 the most important eligibility  
15 requirements is to be able to prove that  
16 the minority or disabled owner is  
17 actually running the business on a  
18 day-to-day basis and has the background  
19 and capacity to do that. So that's  
20 major. We're also looking at a lot of  
21 documentation, so proof of the legal form  
22 of the business itself. We're looking at  
23 identifying all of the owners. So  
24 perhaps if it's a partnership or if it's  
25 a corporation, we want to know who all of

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2 those owners are. We want information  
3 about their background as well as  
4 financial information about the  
5 organization as a whole. So we need  
6 ideally three years of tax returns for  
7 the business. That is somewhat flexible.  
8 And we also need their bank statements.  
9 We need proof of signatures so we know  
10 who the signatories are on the account.  
11 We need to know obviously where the  
12 business is located. There will be a  
13 site visit. So our site visit person  
14 will go out to the business and confirm  
15 that the business is operating in that  
16 location and has the appearance of a  
17 business that is doing the work that  
18 their business claims that they're doing.

19 So, for instance, if you have a  
20 bakery and we do the site visit and it  
21 looks more like a shoe store, then we  
22 might have a little bit of a challenge.  
23 So it's basically proving that the  
24 business is up and operating and that the  
25 ownership is as it's documented.

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2 MS. RODRIGUEZ: Thank you.

3 MS. WANAMAKER: If you go to  
4 our website, there is a list of documents  
5 that are required, and we also have  
6 several orientations. We have two in  
7 March, one on the 14th and one on the  
8 28th, and in April on the 11th, one in  
9 the daytime and one in the evening. So  
10 ideally we'll be having orientation once  
11 a month. Many of our clients are  
12 interested, but they really want to  
13 understand more about the process and  
14 really understand the benefits that are  
15 afforded to them by becoming certified.  
16 And so we'd rather in some cases just  
17 have a face-to-face and allow people to  
18 talk about their concerns and any  
19 questions so that we can really support  
20 them through the process.

21 MR. BANKS: Good morning.

22 First, let me say I'm excited to hear  
23 that you're moving into that space, but  
24 I'm wondering, will there be an  
25 opportunity or do you anticipate the

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2 opportunity to capture data around  
3 success and failures? And the reason I  
4 ask that is that oftentimes when people  
5 are in the certification space, like we  
6 talk about the ones that have made it  
7 through the process, but the missed  
8 opportunity, at least from where I sit,  
9 is in the ones that do not, because that  
10 then allows organizations such as my own  
11 to start to prep businesses to say these  
12 are the things you need to consider prior  
13 to certification.

14 So do you think that there will  
15 be -- will that be part of the process so  
16 that we're not looking three, five years  
17 down the line and they're reproducing  
18 similar issues that we've had in the  
19 past?

20 MS. WANAMAKER: So I will  
21 answer anecdotally. In the beginning we  
22 will be collecting that data and looking  
23 at it. We're in the process right now of  
24 a research project that's been funded by  
25 Emory University and Kauffman to look at

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2 the characteristics that make for a most  
3 successful minority-owned business. So  
4 that's a big chunk of research. So we  
5 will be collecting the data, and  
6 hopefully we can have a more properly  
7 structured quantitative-based study to  
8 determine what the success and failures  
9 are in the process.

10 MR. BANKS: Thank you.

11 MS. WANAMAKER: I will say one  
12 thing that we have I believe as a benefit  
13 is that we provide technical assistance.  
14 So we're not requiring that these  
15 businesses partake in our technical  
16 assistance, but we will encourage it,  
17 particularly if the businesses are not  
18 ready at a particular point. We can  
19 certainly support them. And similar to  
20 the Emory study, we work with Temple  
21 University to identify the  
22 characteristics that most successful  
23 minority-based businesses have. So we  
24 have the ability for people to take the  
25 assessment and get a sense of where their

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2 strengths or weaknesses are compared to  
3 other entrepreneurs. So rather than kind  
4 of take a scattershot approach that where  
5 they need support, we're able to kind of  
6 narrow it down, and hopefully that would  
7 help the business as well.

8 MS. BAYLOR: This may be really  
9 small, but I know that on the last  
10 question that Ms. Rodriguez had asked,  
11 you had said the person can go to the  
12 website. Could you please say for the  
13 record what the website is? Is there a  
14 telephone number that a person should  
15 call? When they go on the website, is  
16 there a link that they should link to?

17 MS. WANAMAKER: So it's  
18 [theenterprisecenter.com/certification](http://theenterprisecenter.com/certification).

19 MS. BAYLOR: Thank you.

20 MS. WANAMAKER: And for  
21 questions right now, I am the point  
22 person, and I can be reached either at  
23 215-895-4000 and my direct line is  
24 215-895-4010.

25 MS. BAYLOR: Thank you.

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2 MS. WANAMAKER: Thank you.

3 CHAIRWOMAN HARPER: Thank you.

4 Andrew is not here yet. What  
5 we're going to do is skip over -- Andrew  
6 will be here, I guess, momentarily. I'm  
7 going to ask Yvonne to come up. Yvonne  
8 is going to share just some updates and  
9 some things that are going on in OEO that  
10 I think the Committee should be aware of.

11 (Witness approached witness  
12 table.)

13 MS. FARRELL: Good morning. My  
14 name is Yvonne Farrell. I'm the Senior  
15 Director within the Office of Economic  
16 Opportunity and here to share with the  
17 Committee today initiatives that OEO has  
18 undertaken in furtherance of our mission  
19 to promote economic development for  
20 minority, women, and disabled-owned  
21 enterprises.

22 OEO is committed to developing  
23 strategies to grow the number of  
24 disabled-owned enterprises in our  
25 registry and to begin setting

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2 participation ranges for this subset. To  
3 this end, OEO has identified a local  
4 agency capable of certifying  
5 disabled-owned businesses.

6 Once OEO has finalized its  
7 contractual relationship with the  
8 selected agency, we will engage in a  
9 robust communications outreach strategy  
10 to notify the business community and  
11 stakeholders. Our office is equipped to  
12 take on new DSBE businesses effective  
13 March 1, 2018.

14 OEO has received a substantial  
15 number of inquiries from the LGBTQ  
16 businesses and business leaders who have  
17 expressed an interest in having LGBT  
18 businesses included in the OEO registry.  
19 To date, OEO, along with the Mayor's  
20 Office of Diversity and Inclusion as well  
21 as the Office of Business Services, has  
22 participated in a listening session with  
23 representatives and stakeholders from the  
24 LGBTQ community to get a better  
25 understanding of the issues and concerns.



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2 We anticipate additional meetings in the  
3 future.

4 Annually the Department spends  
5 a substantial amount of money, contract  
6 dollars, with non-profit organizations.  
7 OEO is exploring how best to enforce  
8 Executive Order 3-12, which requires that  
9 all City contracts with non-profit  
10 organizations include a provision  
11 requiring the non-profits to cooperate  
12 with OEO in its collection of data  
13 identifying the race, gender, disability  
14 status, and economic composition of its  
15 workforce and its Board of Directors. As  
16 well as to help OEO, they must provide a  
17 list of the non-profit's five highest  
18 dollar value M/W/DSBE suppliers of  
19 products and services, as well as a  
20 written economic opportunity statement  
21 which serves as an assurance of the  
22 non-profit's efforts to maintain a  
23 diverse workforce and Board of Directors  
24 in the operation of a fair and effective  
25 supplier diversity program.

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2 Collecting this data and  
3 reporting on this data would be a  
4 substantial undertaking for OEO, so we  
5 need to begin to assess the additional  
6 resources which would be needed and the  
7 impact across City departments and what,  
8 if any, training will be needed to  
9 collect this data.

10 At this time, I'd like to thank  
11 the Committee for allowing OEO to share  
12 highlights of our efforts towards  
13 creating and maintaining an inclusive  
14 environment for minority businesses.

15 Are there any questions?

16 (No response.)

17 CHAIRWOMAN HARPER: That was  
18 easy. Thank you.

19 MS. FARRELL: Thank you.

20 CHAIRWOMAN HARPER: I'd like to  
21 ask Andrew Magnus to come up. This is  
22 our final presenter for today.

23 (Witness approached witness  
24 table.)

25 MR. MAGNUS: Good morning all.

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2 CHAIRWOMAN HARPER: Good  
3 morning.

4 MR. MAGNUS: I'm sorry. The  
5 roads are unbelievably unbelievable.

6 CHAIRWOMAN HARPER: That's all  
7 right.

8 MR. MAGNUS: My name is Andrew  
9 Magnus, owner, founder, President of BTC  
10 Envelopes and Printing. I have been a  
11 vendor for the City for five years.

12 My contention, my situation is  
13 that we had a promotional products  
14 contract with the City, Contract  
15 130345BP14258, for about three and a half  
16 years. We were very conscious of being  
17 the best small business that we could  
18 possibly be to represent this contract,  
19 and we thought that we were working on a  
20 transparent level playing field with, I  
21 guess, Procurement.

22 In about May of last year, the  
23 contract was going to be up. So in  
24 planning for that, I went out and kind of  
25 restructured my company a bit. I had a

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2 partnership with someone who allowed me  
3 to be able to supply these goods to the  
4 City, and so I went out and refinanced  
5 and restructured financing so I could  
6 divorce myself from that partner, because  
7 they made me be at certain market  
8 percentages, which sometimes made us lose  
9 business with the City.

10 After all that was done, we  
11 extended the contract about three times  
12 with the City, not knowing that while all  
13 this was going on, they were -- and let  
14 me say this, first of all, which I've  
15 learned: The City has a Charter that  
16 says that if there's a pre-negotiated  
17 contract with the state, with a larger  
18 buying group and so forth, they can do as  
19 they please. Fine. I mean, you know,  
20 you're going to do what's best for your  
21 constituents in the City and so forth,  
22 but every meeting that I go to,  
23 everything that's being preached by the  
24 City goes against how this thing was  
25 handled.

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2 We're told you're about small  
3 businesses, you're about diverse  
4 businesses, you're about businesses that  
5 think of Philadelphia first.

6 We went out and rented space at  
7 the 5070 Parkside address so we could  
8 better serve the City. So I'm doing  
9 everything that I'm being told.

10 In September, we were wondering  
11 why we haven't heard anything about the  
12 contract, because now I'm ready. I'm  
13 ready to go in on my own. I got money  
14 now. I got space if I need to store  
15 things. I've laid it all out.

16 Oh, by the way, yeah, they went  
17 with Staples.

18 Now, this isn't the Procurement  
19 Department telling me this. We were in  
20 MSB Building doing something else and I  
21 sent my son upstairs, said, hey, go ask  
22 our contact when this contract is coming  
23 down, because there's no more renewals.

24 Oh, yeah, by the way, didn't  
25 you hear? The contract is with Staples

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2 now.

3 I mean, again, the City can do  
4 whatever they want to do. They didn't  
5 break any laws. They didn't break any  
6 rules. But when it comes to -- I can't  
7 figure out the right word, but when it  
8 comes to everything that you preach,  
9 everything that you pass on to everybody  
10 that -- you know, I followed all the  
11 rules. I did everything I was supposed  
12 to do. I was ready. I was going to be  
13 as -- because now I could be as  
14 aggressive as possible, because I don't  
15 have this other partner standing over me  
16 saying, no, you have to be at this  
17 percentage markup. No. I did all my  
18 homework. I was ready. I was going to  
19 gain a big piece of this contract,  
20 because there was three of us on the  
21 contract, me being the diverse vendor and  
22 then two other people. Matter of fact,  
23 the lead person on the contract -- this  
24 is another weird thing -- was out of  
25 California. I mean, that's a whole other

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2 argument.

3 But still my whole thing is, if  
4 you're going to do these kind of things  
5 to somebody who has done everything  
6 they're supposed to do and followed all  
7 the rules and did everything, just be  
8 transparent and live up to what you  
9 preach. And it just -- it's hurt me in  
10 the pocketbook right now, because I just  
11 looked at my numbers and, yes, it's  
12 definitely hurting me. And the other  
13 part is, I have to pay back these loans  
14 that I took out. So I'm in like this  
15 rock and a hard place right now.

16 I had a meeting -- so  
17 Purchasing contacted me with the Staples  
18 rep. I went to Bristol, PA in early, mid  
19 January, had a meeting. They were very  
20 gracious. I mean, but the problem is to  
21 partner in this industry, it's a tough  
22 thing, because there's X amount of  
23 manufacturers. So it's a  
24 manufacturer/distributor type of  
25 industry. So 20 pen manufacturers, 20

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2 mug manufacturers, 15 T-shirt and so  
3 forth manufacturers. So everybody is  
4 going to the same manufacturer. So  
5 there's no way really for BTC and Staples  
6 to have any kind of partnership. It just  
7 wouldn't work. What would happen is that  
8 they would mark it up and then I'd have  
9 to mark it up. So the City would lose,  
10 is the bottom line.

11 They were gracious and they  
12 offered -- they said if there's anything  
13 that they couldn't source, they would  
14 pass it on to BTC. That's fine, but  
15 we're all buying from the same  
16 manufacturers, be it on-shore or  
17 off-shore. So if there's something that  
18 they can't find, I probably can't find.  
19 So those one-off's are going to be very  
20 rare.

21 Then they made another offer to  
22 me. They said, okay, so we'll extend  
23 that not just to the City of Philadelphia  
24 departments but to any customers that we  
25 have in the City of Philadelphia. Again,



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2 gracious offer, but if you can't find it,  
3 I probably can't find it.

4 And here's the other thing too.

5 Let's talk about level playing field.

6 Staples, BTC. I mean, their buying  
7 power, I don't know how much money I'd  
8 have to borrow or how much debt I'd have  
9 to go in to even be anywhere close to  
10 what they can do.

11 Again, the ladies were  
12 gracious. We couldn't find anywhere  
13 where, you know, we could partner where  
14 they could have any kind of diversity  
15 usage from BTC.

16 So I guess what I'm saying is  
17 that as a bottom line, you got to  
18 practice what you preach. You can't tell  
19 us small guys to go in both feet, water  
20 up to our necks, and then do -- because,  
21 I mean, it hurts even like personally,  
22 you know. Aside from a business, you  
23 know, because business is business, but  
24 personally, I mean, we made sure that  
25 every department we dealt with thought

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2 that we were the best thing since sliced  
3 bread. If you called any departments  
4 that we dealt with, we went over and  
5 above.

6 The California person, I don't  
7 even know if they have a rep in this  
8 area, but they had the biggest slice of  
9 the pie and they would do whatever over  
10 the phone or electronically or whatever.  
11 I'm old school, and when I see you and I  
12 shake your hand and you know that you can  
13 call me, you can call my son and somebody  
14 always answers the phone and somebody is  
15 right around the corner. You know, sorry  
16 about today. That's not a good example,  
17 but traffic is not always this bad, but  
18 somebody that's no more than an hour  
19 away, somebody -- I'll talk to you, see  
20 you tomorrow.

21 I mean, we've hand-held so many  
22 people through projects, because as  
23 simple as it is as putting your logo on a  
24 pen, there's a whole lot more that goes  
25 into it. The space, the size of the

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2 imprint area, where on the barrel do you  
3 want it, do you want one that has a  
4 stylist and do you want one that has a  
5 little phone holder on the clip, do you  
6 want a twist or -- you know, it's just on  
7 and on and on and on, and we just used to  
8 hand-hold people through all that and  
9 walk them through it.

10 So personally I feel put upon  
11 when the first thing I hear about not  
12 even being able -- that this contract not  
13 even going back out to bid and that, oh,  
14 yeah, by the way. That's what it was,  
15 oh, by the way, did you know that Staples  
16 got it? By the way.

17 And I was like, what are you  
18 talking about? No. This thing is going  
19 out to bid and we got -- and I'm all  
20 tooled up now and I'm going to win this  
21 and I'm going to be the number one vendor  
22 on this contract, and on and on and on  
23 and on.

24 And I'm not trying to like bore  
25 you with how I feel, but the reality is

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2 that I'm sure I'm not the only one out  
3 there as a small company that this has  
4 probably happened to.

5 I even have -- sidebar. I even  
6 had a prime about three years ago on the  
7 Revenue Department contract put BTC's  
8 name on the contract for like three or  
9 four years. I didn't even know my name  
10 was on the contract. And at the end of  
11 the contract when it came up and I said,  
12 let us investigate this contract and see  
13 if we could be a prime on it, at the very  
14 bottom, DBE company, BTC Envelopes and  
15 Printing. I'm like, whoa. I mean, I  
16 know this guy. I had a conversation six  
17 years ago. He put our name on the  
18 contract.

19 So I cornered him. Now you put  
20 my name on the contract. I cornered him  
21 and asked him what happened, and he said,  
22 oh, well, there was no business that we  
23 could have passed on to you, but we  
24 just -- because we had a conversation, we  
25 put your name on that contract as our

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2 diversity option.

3 I mean, so you put all that  
4 together -- and I don't want to be the  
5 persona non grata. I don't want to say  
6 anything negative. I just want to say  
7 what's real and what happened, and this  
8 is happening, and the "powers that be"  
9 have to put their foot down on this kind  
10 of stuff, because it's just talk.

11 There's a lot of companies,  
12 small diverse companies that don't want  
13 to deal with the City because they feel  
14 it's just talk. I mean, they won't say  
15 it to your face, but amongst each other,  
16 yeah, I don't even bother. I don't  
17 even -- so I was like, I will bother,  
18 because that's more space that I can  
19 occupy. But when you do everything  
20 you're supposed to do and then this  
21 happens, it just really -- it hurts.  
22 Yeah, both financially and personally, it  
23 really hurts, and it makes the disbelief  
24 happen too.

25 I know you guys are trying to

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2 do what you want to do and you have your  
3 goals and plans and so forth, but in the  
4 real world in the space that we live in  
5 where we have to eat and we have to  
6 produce and we have to do whatever it  
7 takes to make our businesses work, it's a  
8 bad thing. And this is my personal  
9 experience. I can't speak for anybody  
10 else, but I'm truly disappointed in the  
11 way that this went down.

12 Nothing went -- nothing  
13 against -- like nobody did anything  
14 crooked. You know, that's the part about  
15 it. So all I'm saying is, okay, you  
16 asked me to extend this contract three  
17 different times. That's three different  
18 opportunities you could say, hey, BTC,  
19 I'm just letting you know that we're  
20 putting this out on a -- I guess one of  
21 those state group buying type of things,  
22 so we're thinking about that.

23 All right.

24 Because the funny part is,  
25 everything that Staples offered them, I

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2 can do. Now, I don't know about the  
3 price structure because I don't have  
4 privy to that, but everything, setting up  
5 like a city store where all items are in  
6 a store and you go to the store and you  
7 choose whatever you want and all that  
8 kind of stuff. We invested the money to  
9 build ourselves up to be able to offer  
10 that, but we weren't even asked about  
11 that. So we didn't even get a chance  
12 to -- you know what I mean?

13           Aside from the money, which is  
14 obvious, we didn't even get a chance to  
15 play on the same capabilities playing  
16 field. Because that would have been an  
17 easy out. You guys can't do that. Oh,  
18 that's what we're looking for. Sorry,  
19 but no thanks. But if they'd have come  
20 to us with that, it would have been like,  
21 yeah, we can do that now. Because we  
22 were trying to check off every box that  
23 we could think of to make us a very  
24 viable option, but when you don't get a  
25 chance to play in the game, they don't

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2 put you in the game, put me in the game,  
3 coach, let me show you what I can do, and  
4 then find out you got traded to another  
5 team or you got cut, I mean, that's real  
6 tough. It makes you now start to think  
7 like the other people that are staying on  
8 the outside saying, I don't want to waste  
9 my time dealing with the City because  
10 they don't live up to, quote -- not my  
11 quote, but, quote, they don't live up to  
12 what they say. Why waste my time?

13 CHAIRWOMAN HARPER: Thank you.

14 So first let me thank you for sharing  
15 your experience.

16 And I want to open for  
17 questions first. If there are any  
18 questions or comments from the group.

19 MR. BANKS: Well, I would love  
20 to say -- I would love to hear more about  
21 this process. This is where it's like a  
22 fine line for me, right? Because I hate  
23 hearing stories like this, especially  
24 when you see the numbers around minority  
25 participation. Here's an opportunity for



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2 a minority to participate and the  
3 opportunity is no longer available.

4 What it seems that needs to  
5 take place is the transparency around the  
6 process, because if you're out  
7 restructuring debt and you're doing all  
8 these things to put your business in a  
9 position to gain additional business, you  
10 have to take that risk on the front end  
11 in hopes of being able to compete  
12 hopefully successfully to get the  
13 business.

14 So I think that -- again, I'm  
15 new to this particular Committee, but I  
16 would love to hear more about how that  
17 process took place, because when I look  
18 at the numbers and the data around  
19 minority businesses and I know the type  
20 of work you do -- let me be very  
21 transparent. You have done work for our  
22 organization. You have done really  
23 excellent work. And it's nothing against  
24 Staples, but I know who you're going to  
25 hire. Not only who you're going to hire,

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2 I know what you're going to hire them to  
3 do. You're not just hiring an employee.  
4 You're going to hire somebody that can  
5 move up and enter into the space and do  
6 the same type business that you're doing.

7 So it's kind of troubling when  
8 I hear a story like this, because we're  
9 tasked with being the forward face also  
10 to our members and saying, this is how  
11 you do business with the City, and if  
12 that process doesn't seem fair, it puts  
13 us also at a disadvantage when we say we  
14 would need to gather these groups of  
15 people, this is how you get this  
16 opportunity, and then you do all the  
17 right things and the opportunity is gone  
18 before you even have an opportunity to  
19 compete. That, in my opinion, shouldn't  
20 happen to a business owner, particularly  
21 in this city knowing the numbers, knowing  
22 the data as it stands today, and knowing  
23 that we're underperforming in that space.

24 So that's my comment.

25 CHAIRWOMAN HARPER: Are there

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2 other comments?

3 Go ahead.

4 MS. RODRIGUEZ: Question for  
5 you. It was not clear to me. So what  
6 you're saying is you had a contract and  
7 received three extensions and that your  
8 understanding was that this contract was  
9 going to go back to be bid because after  
10 three years, they open it up, but that  
11 the City did not open up the contract for  
12 bidding. They went through a group  
13 sourcing sort of process and you were not  
14 aware on a timely basis that that was  
15 going to be the case?

16 MR. MAGNUS: Correct. I think  
17 I found out by accident, because I was in  
18 the MSB Building doing something else and  
19 my son was with me, and I said, go  
20 upstairs and, because we're out of  
21 extension now, find out what's going on  
22 with the contract. And it was like,  
23 well, didn't you hear that they gave it  
24 to Staples?

25 MS. RODRIGUEZ: And I don't

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2 know that you're the person to ask,  
3 frankly. So when you say they gave it to  
4 Staples, you mean that they did not go  
5 out to bid for the contract?

6 MR. MAGNUS: No. They used  
7 something called -- it's called PANJ, but  
8 it doesn't stand for Pennsylvania and New  
9 Jersey. It's PANJ something, something  
10 group, and I don't know what the letters  
11 stand for. And so, yeah, it never went  
12 back out to bid. Because the agreement  
13 was, well, it wouldn't make sense to put  
14 it to bid if they made an agreement. But  
15 just out of respect being an incumbent,  
16 do you just say, hey, we're not -- the  
17 standard, we're going in a different  
18 direction. You know, the standard line.  
19 Something, anything. Tell me a little  
20 bit sooner anyway. Maybe I wouldn't have  
21 gone down the financial road that I went  
22 in, you know. I would have made  
23 different decisions I think if I'd have  
24 known maybe 90 to 120 days before that  
25 you weren't even thinking about going

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2 that way.

3 Matter of fact, this is what  
4 makes it bad. They were looking at this  
5 for a whole year, come to find out.

6 Yeah. So it's not like it happened in  
7 those three extensions and it kind of,  
8 oh, wow, look at this great opportunity.

9 No. It was going on for a year, I found  
10 out. A year's worth of research was  
11 going on with Staples.

12 CHAIRWOMAN HARPER: So, again,  
13 I've heard your story and am impacted  
14 personally by how you've been impacted as  
15 well. So I have had a conversation with  
16 Staples, an initial conversation, and  
17 it's my understanding that this  
18 cooperative agreement, as what it's being  
19 called, is supposed to be beneficial. I  
20 am not sure yet how beneficial to  
21 M/W/DSBE firms. I am not yet sure how.

22 I've asked that Staples present  
23 their diversity outcomes to date as well  
24 as a diversity plan going forward. I've  
25 actually planned to invite them to the

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2 hearing today knowing that you were going  
3 to be here. However, the timing didn't  
4 work out. They will be here for the  
5 June -- for our June meeting. But  
6 between the conversation that I had with  
7 them on Friday and our June meeting, I am  
8 hopeful that I'll be able to get back to  
9 you with at least some information. And  
10 that in no way will make up for what  
11 you've experienced and it will certainly  
12 not make up for the hole in your revenue  
13 that you've shared, but I think at least  
14 we can start sharing from a transparent  
15 perspective what their plan is for  
16 M/W/DSBE engagement going forward.

17 I literally had a conference  
18 call on Friday with them as a result of  
19 this situation. And so I plan to get  
20 back to you as soon as I hear from them.

21 One of the things that I  
22 stressed on the call was that we don't  
23 have a lot of engagement in our SSE  
24 category, which is service, supplies and  
25 equipment, which is what you would fall

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2 under, and I think it's really important  
3 for the firms that we do have in those  
4 categories to be actively engaged since  
5 there aren't many of them.

6 And so I felt like they heard  
7 what I had to say. I will share  
8 everything that I learn as a result of  
9 our meeting on Friday, and then I want to  
10 invite you back when they join us for the  
11 next hearing, because I've asked them to  
12 come and present their plan for  
13 engagement and to be very clear about how  
14 firms like yours as well as other firms  
15 can engage with Staples.

16 So if nothing else, do know  
17 that I am working on this, I am aware of  
18 it, and I'm going to do my best to keep  
19 you engaged in this process as we go  
20 along.

21 MR. MAGNUS: Thank you.

22 MS. RODRIGUEZ: Iola, so my  
23 question is related to process and  
24 notification and that perhaps there might  
25 be a way of knowing in advance and

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2 providing advance notice to contractors  
3 when significant contracts are being  
4 reviewed for efficiencies that would lead  
5 one to believe that there might be some  
6 really significant change and not just --  
7 because the industry in which you work,  
8 unfortunately, technology has made it so  
9 that the value added is very limited, and  
10 so profitability -- you know, a lot of  
11 people can now print and do things that  
12 10, 15 years ago you would have had to  
13 specialize, right? So I think in some  
14 ways you're a victim of old prices, you  
15 know, being brought down and having an  
16 organization, company like Staples that  
17 has major scale, but I think when these  
18 are shifts that are taking place, perhaps  
19 the City can at least send a notification  
20 out that this contract for printing  
21 services, we're really re-evaluating  
22 whether we're -- how it's going to work  
23 out. And so perhaps particularly when  
24 they're minority businesses that have  
25 contracts, I mean, at least there's a



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2 little bit of more information there.

3 CHAIRWOMAN HARPER: I agree 100  
4 percent. Great.

5 Any other -- yes.

6 MR. HARRIS: I just have a  
7 curious question. On your extensions,  
8 how do you receive extensions? Are they  
9 automatic or do you have to reapply?

10 MR. MAGNUS: You get a written  
11 request, do you agree to extend for 30  
12 days or 60 days on your -- because you  
13 can refuse it. You can say this contract  
14 is over, those prices were only for  
15 that -- especially if your manufacturers  
16 do across the board 10, 15 percent. You  
17 know, it doesn't really happen because  
18 everybody is competing up against each  
19 other, so they wouldn't all collude and  
20 do that, but sometimes some areas do an  
21 across-the-board increase.

22 But, yeah. So you get a  
23 letter -- or e-mail, I should say, letter  
24 form saying does BTC agree to a 30-day  
25 extension, holding the prices that were

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2 initiated on contract blah, blah, blah  
3 and so forth. So that's basically how --  
4 and then you sign off, scan it, and send  
5 it back.

6 MR. HARRIS: Thank you.

7 CHAIRWOMAN HARPER: Thank you  
8 for sharing that with us. I'll be in  
9 touch.

10 MR. MAGNUS: Thank you, guys.

11 CHAIRWOMAN HARPER: All right.  
12 Seeing as there's no one here for public  
13 testimony, I would like to conclude this  
14 meeting, and thank you all for coming.

15 (Economic Opportunity Review  
16 Committee concluded at 10:50 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.

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MICHELE L. MURPHY  
RPR-Notary Public

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Economic Opportunity Review Committee  
March 5, 2018

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