

Economic Opportunity Review Committee
June 18, 2018

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ECONOMIC OPPORTUNITY REVIEW
COMMITTEE

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, June 18, 2018
10:00 a.m.

PRESENT:

IOLA HARPER, Deputy Commerce Director,
Office of Economic Opportunity,
Chair

ETHELIND BAYLOR, Vice President, AFSCME
District Council 47

JENNIFER RODRIGUEZ, President and CEO,
Philadelphia Hispanic Chamber of
Commerce

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2 CHAIRWOMAN HARPER: Good
3 morning. I would like to call this
4 meeting to order. My name is Iola Harper
5 and I'm the Deputy Commerce Director for
6 the City of Philadelphia charged with
7 leading the Office of Economic
8 Opportunity.

9 I would like to make some very
10 brief remarks to provide context for
11 those of you who have never attended an
12 EORC Committee hearing before.

13 In 2012, City Council
14 introduced an ordinance which called for
15 the creation of this Committee, the Equal
16 Opportunity Review Committee. The work
17 of this Committee includes a number of
18 things. One of them is to oversee and
19 facilitate a public review of the
20 implementation, effectiveness, and
21 enforcement of Equal Opportunity Plans.
22 Another is taking public testimony
23 related to diversity and inclusion in the
24 City and being responsive to that
25 testimony. A third is facilitating

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

14 These meetings are held on a
15 quarterly basis, and transcripts of this
16 and all previous meetings are available
17 online at the OEO website.

18 I'd like to take a quick moment
19 to acknowledge the Committee members
20 present, and I'd like to ask each of you
21 to introduce yourselves, if you don't
22 mind.

23 MS. BAYLOR: Good morning,
24 everyone. My name is Ethelind Baylor,
25 Vice President of AFSCME District Council

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2 47.

3 MS. RODRIGUEZ: Good morning.

4 I am Jennifer Rodriguez, the President of
5 and CEO of the Greater Philadelphia
6 Hispanic Chamber of Commerce, and I must
7 excuse myself in about ten minutes before
8 the meeting, so...

9 CHAIRWOMAN HARPER: Members of
10 the Committee who are not present include
11 Michael Banks, President and CEO of the
12 African American Chamber of Commerce. He
13 is on vacation. And Sherman Harris,
14 Assistant to the President of AFSCME
15 District Council 33.

16 So we're going to move on very
17 quickly to review the agenda. We have
18 the Philadelphia Phillies, the Grow
19 Philadelphia Fund. We have two reports
20 coming from the City of Philadelphia, one
21 on the Slow Pay Task Force and the other
22 on the vendor performance tracking
23 module. And, finally, we have one of our
24 MBE vendors, Tiger Contractors, coming to
25 provide testimony as well.

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2 So at this time, I'd like to
3 welcome the group from the Philadelphia
4 Phillies up to the table for testimony.

5 (Witnesses approached witness
6 table.)

7 CHAIRWOMAN HARPER: Good
8 morning. So if you can each state your
9 name for the record and then you can
10 begin whenever you'd like.

11 MR. WEBER: Sure. John Weber
12 with the Phillies.

13 MR. STRANIX: John Stranix with
14 the Philadelphia Phillies.

15 MS. GUMBS: Michelle Gumbs,
16 Infinite Economic Development Solutions.

17 MR. WEBER: Iola, thank you for
18 this invitation for us to speak in
19 regards to our projects that we have
20 going on at the Phillies. We're very
21 excited about the projects we have going
22 on, and we're looking forward to continue
23 to be good citizens to the City of
24 Philadelphia.

25 John Stranix, the owner's

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2 representative, will run through the
3 projects we have currently going on.

4 MR. STRANIX: Good morning.

5 Thanks for asking us to attend the
6 session.

7 The Phillies, after building
8 the ballpark about 14 years ago, did not
9 do much work from a capital standpoint.
10 Now, recently given the age of the
11 building and new trends in baseball,
12 we're in the midst of some new projects.
13 So we actually have four projects
14 underway. Most recently completed were
15 improvements to Citizens Bank Park in
16 2017 and '18, the first phase, about a
17 \$20 million project.

18 We're in the planning phase of
19 the next group of projects, which will be
20 2018-19, about \$25 million worth of
21 projects. We just broke ground on the
22 Ballpark Services Building, which is a
23 support auxiliary building across the
24 street, not part of the stadium. That's
25 about a \$13 million construction cost.

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2 And we're also about to undertake a
3 perimeter hardening project, which will
4 create a security barrier around the
5 entire ballpark, around \$10 million or
6 so.

7 We have elected to sign on to
8 EOP plans for all of those projects.
9 Michelle Gumbs of GPUAC is here. They
10 represent us relative to the EOP plan,
11 and they monitor all the transactions.

12 Right now for the ballpark
13 improvements, we have Driscoll on board,
14 and we have completed the first year's
15 work. As I indicated, we're about to
16 start the Ballpark Services Building.

17 Generally the Phillies have a
18 history, I believe, with respect to
19 construction of being proactive and being
20 open to inviting all minority enterprises
21 and individuals to the project. We
22 contract using a cost of the work, plus a
23 fixed fee approach, which means that the
24 Phillies are involved in all contractual
25 discussions and decisions, even at the

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2 subcontractor level. So particularly our
3 process is to have the construction
4 manager present to us all the subcontract
5 results. We review each individual trade
6 package. If the participation levels are
7 not as high as they can be or as high as
8 warranted, we ask them to go back and
9 re-solicit to subcontractors to make sure
10 they have a greater level of
11 participation. So to this point, I think
12 we've done a pretty good job of trying to
13 get as much participation as possible
14 involved in the project.

15 Thank you.

16 CHAIRWOMAN HARPER: Are you
17 prepared to share actual outcomes to
18 date?

19 MR. STRANIX: I can share
20 outcomes as what occurred to date. For
21 the improvements for 2017 and '18, we had
22 goals of 20 to 25 percent for minorities,
23 15 to 20 percent for women, for a total
24 of 35 to 40 percent. The actual results
25 for those projects for the MBEs was 5.8

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2 percent, WBE 21.4 percent, DBE about 0.1
3 percent, for a total of 27.33 percent
4 against our goals of the 35 to 45 percent
5 range. Our disadvantaged business or
6 disabled business enterprise was supposed
7 to be a best and good-faith efforts, and
8 so we tried. We don't have a significant
9 amount to show for that.

10 The Ballpark Services Building
11 has just finished their bid phase and,
12 again, the same criteria applied.
13 Minority 20 to 25 percent, WBE 15 to 20
14 percent, for a total of 30 to 45 percent.
15 These bids were just received, so the
16 numbers have not been validated yet, but
17 I can tell you at this point for MBE
18 we're at 15.2 percent, for WBE 21.27
19 percent, for a total of 36.52 percent.
20 Again, that's committed, not documented
21 yet.

22 CHAIRWOMAN HARPER: Got it. So
23 my question, it looks like with the
24 Ballpark Services project you're doing
25 really -- first of all, I want to commend

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2 you on your process. It certainly
3 recommends a best practice to have you
4 involved in conversations with the
5 contractors and subcontractors. So that
6 does offer some insight into a best
7 practice.

8 I'm curious about the -- it
9 looks like you're moving in the right
10 direction with MBE participation with the
11 Ballpark Services project. However, I'm
12 wondering what the difference is when you
13 had the 5.8 percent with the previous
14 project. What is it that you've done
15 differently to increase your MBE
16 participation?

17 MR. STRANIX: That's a good
18 question. It's really a matter of timing
19 of the projects. When we started the
20 2017-18 projects, there was not a whole
21 lot of planning time involved. It was a
22 last-minute decision on the Phillies to
23 go forward with the projects. We rushed
24 everything through, and so our process
25 was not as good as it could have been.

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2 On the next phase of the
3 ballpark improvements, we'll have a more
4 traditional notification, bid,
5 assessment, and then purchasing process,
6 which should allow us to be more in line
7 with what we did with Ballpark Services
8 Building.

9 Ballpark Services Building was
10 a very traditional procurement approach.
11 We designed the project. We had a
12 solicitation for general contractors. We
13 have bid packages out for subcontractors,
14 and we had the time to evaluate them and
15 properly enforce what our requirements
16 are.

17 So as we go forward for both
18 the perimeter security project and the
19 next phase of the ballpark improvements,
20 there'll be a similar process. So I'm
21 expecting the same or better results.

22 CHAIRWOMAN HARPER: Got it.
23 And can you tell me a little bit about
24 your outreach plans. How is it that the
25 opportunities for these projects reach

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2 the disadvantaged business community as a
3 whole?

4 MR. STRANIX: Sure. I'd like
5 to pass it over to Michelle to tell us
6 what they do for us. GPUAC represents us
7 on this process. We work very closely
8 with them on trying to make sure we have
9 the appropriate amount of participation.

10 MS. GUMBS: So as part of our
11 role, we use the listing from OEO and
12 certified -- or businesses and agencies
13 that are certifying businesses according
14 to OEO's regulations. So we provide that
15 to the CM. We actually sit in de-scope
16 meetings with the contractors as they
17 come up, the three lowest bidders, to
18 just see where they are, what their
19 participation is going to be, how they
20 expect to get to the goal, and then how
21 employment, what they expect with the
22 employment on the project as well. So
23 that's been our role. Then we again
24 confirm with the contracts and with
25 payments.

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2 CHAIRWOMAN HARPER: Any

3 questions?

4 (No response.)

5 CHAIRWOMAN HARPER: Okay. My
6 only other question is, with the Ballpark
7 Services project, you are 40 percent
8 through to the project. Is that what I
9 heard?

10 MR. STRANIX: No. We just
11 broke ground. So we're finished with
12 purchasing, so we actually have all of
13 our subcontractor -- I would say 95
14 percent of our subcontract packages have
15 been bid, evaluated, and have been
16 decisions made. So the results I gave
17 you indicate the committed aspects of
18 those, not necessarily the documented
19 aspects.

20 CHAIRWOMAN HARPER: Okay. So
21 it sounds like you're bought out and
22 you're at 15 percent. You are
23 overachieving with your WBE, but at this
24 point you are underachieving with your
25 MBE. So I want to encourage you to look

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2 at what else you might be able to squeeze
3 out to try to get you at least to the
4 minimum of the MBE range. And if there's
5 a way that our office can be helpful -- I
6 know that you meet with Nick and Vince
7 from our office. If there's a way we can
8 be helpful, we'd like to do that.

9 MR. STRANIX: They've been
10 nothing short of helpful so far, so I
11 appreciate the offer. We'll make our
12 best efforts.

13 CHAIRWOMAN HARPER: Okay.

14 MS. RODRIGUEZ: Yes. Good
15 morning. Are you aware of any instances
16 in which a prime contractor has proposed
17 in the bid to come in with a
18 subcontractor that is disadvantaged and
19 not quite -- at the time of actually
20 executing, not fulfilling that promise,
21 if you will?

22 MR. STRANIX: No. Actually,
23 we've done pretty well in documenting our
24 committed elements. So the last thing we
25 want to do is advertise a high percentage

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2 and not deliver at the end. So we're
3 very careful about that, and that's what
4 Michelle was talking about, their
5 assessment and involvement.

6 CHAIRWOMAN HARPER: Thank you
7 very much. We look forward to continuing
8 support of your project.

9 MR. STRANIX: Thank you.

10 CHAIRWOMAN HARPER: Thank you
11 for coming.

12 MR. STRANIX: Thanks for your
13 time.

14 CHAIRWOMAN HARPER: At this
15 time, I would like to welcome Anthony
16 Abney up from the Grow Philadelphia Fund
17 to tell us about the Grow Philadelphia
18 Fund.

19 (Witness approached witness
20 table.)

21 MR. ABNEY: Good morning,
22 everyone.

23 CHAIRWOMAN HARPER: Good
24 morning.

25 MR. ABNEY: So my name is

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2 Anthony Abney. I'm the Director of the
3 Equity Initiative at The Enterprise
4 Center and I also lead our Grow
5 Philadelphia Fund.

6 So to give a little bit of
7 background on the Grow Philadelphia Fund,
8 we started it last year, in 2017, with a
9 partnership with Councilwoman Blackwell
10 and Brandywine Realty Trust, and the
11 mission of the fund is to provide working
12 capital for MBE construction businesses
13 or MBE businesses within the construction
14 industry to give them affordable capital
15 that they can use for projects.

16 So as I said before, we started
17 last year. At the end of last year, we
18 just did our first loan in April. We
19 have a couple other businesses in the
20 pipeline, and every business that comes
21 across this fund, they're very excited,
22 because the rates are affordable. It's
23 almost competitive with a line of credit,
24 and also it allows them the opportunity
25 to get the capital that they need before

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2 they want to be able to get it or if they
3 got the capital, it would be so expensive
4 that it would eat into their margins.

5 So the fund is smaller than we
6 want it to be. We want it to grow. So
7 that's one of the challenges we're
8 facing. And we're also facing challenges
9 where when we're giving the money to
10 these businesses, we're noticing that
11 there's some issues with the businesses
12 in terms of their owing the IRS money or
13 also in terms of how they're paying
14 themselves in terms of taking draws from
15 their business instead of paying
16 themselves a salary. And so these have
17 been some of the challenges that we faced
18 when trying to loan out this money. And
19 I don't know if this is the role of the
20 OEO, but I believe that a few things need
21 to happen in order for us to be able to
22 have more opportunities like this.

23 One of the things that I think
24 needs to happen is, we need to have more
25 financial acumen, technical assistance,

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2 which is something that I think The
3 Enterprise Center can help out with and
4 other economic development initiatives
5 can help out with as well.

6 I also think where we run into
7 trouble is when MBEs are -- when they're
8 bidding for their contracts, they're
9 bidding themselves so low in an effort to
10 win the contract, that they end up
11 messing up their cash flow, and that's
12 where they get into trouble with owing
13 taxes or not being able to pay themselves
14 a salary but having to take a draw from
15 their business.

16 So if there's a way that we can
17 advocate for better bidding processes
18 where MBEs can have the financial models
19 that they need to see, okay, this is the
20 lowest that I can take before it destroys
21 my profit margins and I'm not able to
22 service this contract profitably.

23 So there's that, and then
24 there's also coming up with strategies
25 and ways to take the pressure off of MBEs

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2 to bid themselves so low.

3 I know these are efforts that
4 we're working towards. So thank you guys
5 for the work that you're doing. So those
6 are the challenges we've been facing, but
7 I want to take a second to see if there's
8 any questions you guys have.

9 CHAIRWOMAN HARPER: Sure. Can
10 you share the pot of money that you have
11 available, what the amount of that is,
12 and also when you talk about the terms of
13 your lending, can you share a little bit
14 with more specificity about what the
15 terms are.

16 MR. ABNEY: Absolutely. So the
17 terms of the loans are very short, six
18 months to three years. The rates are
19 from 2 to 3 percent. And the amount that
20 we have, right now we have 250,000. So,
21 again, we want to be able to raise more
22 money where we can offer those terms and
23 those rates for businesses, but that was
24 just the start to get us started to see
25 how it goes.

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2 Brandywine has said that they
3 would like to continue offering us more
4 capital at those rates, but this is kind
5 of just the pilot to see how this fund
6 goes, and if all goes well, we'll
7 increase that amount and go up from
8 there.

9 CHAIRWOMAN HARPER: And I
10 understand that you've had some success
11 with your first loan?

12 MR. ABNEY: Yes.

13 CHAIRWOMAN HARPER: Can you
14 share a little bit about that.

15 MR. ABNEY: Yes. So the first
16 company -- I won't tell the name of the
17 company, but it's an electrical company
18 that deals with the wiring in the
19 contracts. So we did that loan in April,
20 and thanks to the loan, they were able to
21 secure the project that they were bidding
22 on and now they have the working capital
23 for it. The amount that we did, I
24 believe, was 40,000.

25 CHAIRWOMAN HARPER: So for a

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2 relatively small amount of capital, they
3 were able to secure a fairly large
4 contract.

5 MR. ABNEY: Exactly.

6 CHAIRWOMAN HARPER: So we need
7 you guys to keep doing what you're doing.
8 And I appreciate you sharing some of the
9 challenges that you're having in terms of
10 the profile of the businesses that come
11 before you.

12 Can you share a little bit
13 about the outreach. So how is it that
14 the businesses, for example, in
15 Jennifer's association or the businesses
16 in the African American Chamber, how is
17 it that they are finding out about the
18 Grow Philadelphia Fund?

19 MR. ABNEY: So every month we
20 have construction consortium meetings
21 where we bring in MBE businesses and DBE
22 businesses and we share the Grow
23 Philadelphia Fund opportunity with those
24 businesses that attend. We also
25 advertise online the Grow Philadelphia

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2 Fund. So businesses go to our website,
3 theenterprisecenter.com. Under "for
4 borrowers," they can find information on
5 Grow Philadelphia.

6 So that's what we've been doing
7 so far. We haven't gone beyond doing
8 advertising outside of that, just because
9 of the size of the fund and also we're
10 still advocating to try to raise more
11 money. So as we raise more money and
12 we're able to service more loans, we'll
13 really start to ramp up the advertisement
14 where we come to more events such as this
15 and talk about the opportunity.

16 MS. RODRIGUEZ: Are there any
17 geographical or project eligibility
18 criteria that -- for example, must the
19 contractor be working on a Brandywine
20 project?

21 MR. ABNEY: No. So they don't
22 have to work for a Brandywine project.
23 The project does have to be in
24 Philadelphia, though.

25 MS. BAYLOR: You gave great

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2 recommendations that you would like to
3 see added and asking for some assistance,
4 but I just wanted to know, when you're
5 seeking for more funding, is it
6 appropriate to say what the organization,
7 what the Grow Fund, can do for these
8 business owners or is it an opportunity
9 for you all or no?

10 MR. ABNEY: Yes. Yes. We want
11 to talk about what the Grow Philadelphia
12 Fund can do for businesses when we go out
13 to advertise, because we believe that
14 that's what really connects with people.
15 So there's the opportunity, but then
16 there's also the challenges. So being
17 aware of the challenges we face and how
18 can we get over those hurdles to make
19 businesses better so that they can make
20 the best use of these opportunities.

21 CHAIRWOMAN HARPER: Thank you
22 very much.

23 MR. ABNEY: Great. Thank you.

24 CHAIRWOMAN HARPER: I don't
25 know if the funding angels are listening,

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2 but hopefully you will begin to grow your
3 fund, because 2 and 3 percent money to
4 vendors that fall under the disadvantaged
5 category is critically important and
6 having access to that kind of money or
7 that kind of capitalization is critical.
8 So thank you.

9 I would now like to welcome up
10 Dwayne Gordon, and he's going to talk
11 about the Slow Pay Task Force -- and
12 Jeanette Bruno is coming up as well -- to
13 talk about the Slow Pay Task Force and
14 the work that the CAO's office, the great
15 work that the CAO's office has been
16 doing, to expedite payment and turnaround
17 of payment to vendors that are doing
18 business with the City.

19 (Witnesses approached witness
20 table.)

21 CHAIRWOMAN HARPER: So if you
22 could state your name for the record and
23 then you can get started.

24 MR. GORDON: Dwayne Gordon,
25 Office of the Chief Administrative

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2 Officer, First Deputy CAO.

3 MS. BRUNO: Jeanette Bruno,

4 Office of the Chief Administrative

5 Officer, Assistant Chief Administrative

6 Officer.

7 MR. GORDON: So we have been

8 tasked with coming up with a solution to

9 address the slow payment from the City to

10 its vendors. And so we've partnered with

11 the Commerce Department to figure out

12 what's the most viable solution. And so

13 we assembled a small team to look at the

14 end-to-end process to better understand

15 where the problems are, any gaps, any

16 paying points, any major issues that we

17 need to bring forth.

18 As a result of that, we came up

19 with a few different solution options

20 that we feel are all viable in addressing

21 this issue.

22 Along the way, we were a

23 partner with quite a few internal

24 departments, from Revenue, Treasury, the

25 Controller's Office, as well as different

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2 agencies from Airport, Water, Streets, IT
3 to better understand what their issues
4 are respectively so that we can have a
5 comprehensive view of the issue. And so
6 recently we put forth a proposal to the
7 Commerce Department to Diversity and
8 Inclusion as well as our Chief
9 Administrative Officer so that we have
10 everyone aligned to better understand our
11 solution options to get the approval to
12 move forward.

13 CHAIRWOMAN HARPER: So I
14 understand you may not be prepared to
15 talk about what the specific actions are,
16 but can you talk about what the intended
17 outcome is supposed to be when we're
18 further down the line a little.

19 MR. GORDON: Sure. The intent
20 is to create a process so that all the
21 vendors are paid in a timely manner.
22 What we have now are wide variations of
23 when payment is distributed out to
24 vendors. And so what we wanted to do is
25 put forth a solution that we have greater

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2 consistency -- that's time box -- so that
3 vendors are paid in a timely manner.

4 What we've seen is that from a
5 small business perspective, if they are
6 subcontractors, they are unable to float
7 month over month any type of delays with
8 payment. And so we wanted to make sure
9 that we were paying our primes in a
10 timely manner so that that money could
11 then be paid to the small businesses who
12 are contracted with them. And so with
13 that, we wanted to make sure that there's
14 greater visibility across the different
15 departments so that if there are issues,
16 vendors would know who to contact. The
17 departments would know who to contact so
18 that we can expedite the payments.

19 Also we wanted to make sure
20 there's great communication between
21 vendor and any internal department so
22 that if there are any holdups, for an
23 example, with any type of tax holds, they
24 could get that addressed right away.

25 So what we're prepared to do is

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2 look at the process and start to
3 streamline the process in a more
4 meaningful and thoughtful way, and we're
5 also looking to create training programs
6 so that the vendors and internal staff
7 are better educated and knowledgeable on
8 the government process.

9 MR. RODRIGUEZ: So you've
10 mentioned payment in a timely manner.
11 Have you set a goal? Like what is it
12 that -- what's the average time period it
13 takes for somebody to get a check and
14 what is it that you're looking to
15 achieve?

16 MR. GORDON: Right now we
17 didn't see any consistency with the
18 payments. It's like a wide variation.
19 Where if the submission is all intact, we
20 see payment going out within 30 days.
21 We've seen as much as several months as
22 far as when payment is sent out.

23 So what we have decided, that
24 it would have to be an iterative approach
25 so that as we make progress and

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2 streamline the process, we can start to
3 say with a 60-day benchmark down to 45
4 days, then ultimately down to 30 days.
5 We feel that if everything is in place
6 and achieve that, we can consistently pay
7 vendors within the 30-day timeframe.

8 MS. RODRIGUEZ: Can you speak
9 about what have you found, specific, I
10 would say, issues that you found in the
11 system.

12 MS. BRUNO: So we have found a
13 few key themes that are really consistent
14 across all of the folks that we've talked
15 to. Some of them are really around just
16 communication and sort of policies and
17 procedures, and that's both for vendors
18 knowing who to talk to in the City when
19 there are issues as well as communication
20 and interdepartmentally specifically when
21 an invoice goes through some of the
22 checks and balances and with the
23 Controller's Office, and we've also seen
24 some places in the process just where the
25 routing may be a challenge. So if there

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2 is an invoice that comes in and it's
3 partially complete or it may be missing a
4 key piece of information, right now we
5 sort of send things back to the
6 beginning. So knowing that we can
7 definitely streamline and the way that we
8 have intake and how it passes through the
9 different stakeholder departments. And
10 we've definitely seen challenges around
11 timing and then submission. So the very
12 front end of the process either missing
13 key documentation or just an invoice may
14 go to an agency in Southwest
15 Philadelphia, for example, and then have
16 to come down to the Municipal Services
17 Building for processing, so really that
18 adding additional time in just
19 transportation and interoffice mail.

20 MS. RODRIGUEZ: I used to
21 manage a lot of contracts in the City of
22 Philadelphia and I found that one of
23 the -- we used to say that between
24 July -- so the fiscal year begins July
25 1st, and you're dealing with contracts

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2 that are not conformed until October and
3 November. The vendor is doing the work
4 between July and November and not getting
5 paid. So have you identified that as --
6 and then once November hits, they would
7 get paid consistently until again July
8 again comes in. And so you're waiting
9 for your contract. It's not getting
10 processed in a timely manner. So can you
11 speak about that?

12 MR. GORDON: So one of the
13 things that we saw as we went throughout
14 this discovery process is that slow pay
15 is an issue, but it's much broader than
16 that, to your point, and we did recognize
17 that as an issue. And so part of our
18 solution options was to address that
19 specific concern, how do we look at the
20 conformance of a contract as it relates
21 to vendors already doing the work. And
22 so at a very high level, we've already
23 had discussions or we're starting
24 discussions around that. So we work
25 through that to see how this can tie in

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2 to the vendor payment solution.

3 CHAIRWOMAN HARPER: Keep up the
4 good work. Thank you both.

5 All right. And now I'd like to
6 ask Nick Susi to join us. He's going to
7 talk about a new module that is going to
8 allow us to track vendor performance.

9 (Witness approached witness
10 table.)

11 DEPUTY COMMISSIONER SUSI:

12 Nicholas Susi, Deputy Procurement
13 Commissioner. Thank for inviting me to
14 speak about our new vendor performance
15 module.

16 I'm happy to say -- the vendor
17 performance module is part of
18 PHLContracts, which is a centralized
19 eProcurement system, and I'm happy to say
20 we just finished rolling out the entire
21 system to all 50 or so agencies across
22 the City June 11th.

23 So the vendor performance
24 module, actually we were able to stand up
25 and get started in February of this year,

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2 and what the vendor performance module
3 allows is a standardized way for agencies
4 to submit a vendor performance issue
5 through the eProcurement system. It then
6 routes up to the Procurement Department,
7 alerts the buyer related to that contract
8 that there's an issue. The buyer then
9 has the option to either send that to the
10 vendor to resolve or to keep that
11 internally for potentially internal
12 discussions. Sometimes these things have
13 to be discussed with the Law Department
14 or with the stakeholder agency, and then
15 additional actions may need to happen.

16 And then what it also allows is
17 in a standard dashboard on a
18 vendor-by-vendor basis, so once you start
19 to score vendors in the system, it then
20 creates a dashboard in that vendor's
21 profile and what their score is.

22 So just a quick overview of
23 what the categories in the system are.
24 And, again, this is something that the
25 City worked with the vendor on creating.

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2 There's four main categories. There's
3 just general contractor performance.
4 Then there's the OEO and EOP ratings and
5 issues related to OEO and Economic
6 Opportunity Plan performance. Then
7 there's just general contractor issue
8 management, and then we have lab issue
9 management, because we do work with our
10 Water Department and their lab to test
11 products that may come in for testing,
12 materials, chemicals, things like that.
13 And then the goal is, on the contractor
14 performance category overall, is to use
15 that on an annual basis to score the
16 vendors.

17 What we found through working
18 with the vendor, talking to other folks
19 who might use a system like this is that
20 oftentimes people are going to submit the
21 negative issues. They may not submit the
22 positive with their vendor experience.
23 So instead of scoring on an individual
24 ticket basis, hey, here's a problem,
25 here's a problem, here's a problem, we're

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2 going to sit down with the end users,
3 including OEO and Labor Standards, on an
4 annual basis and score these vendors
5 together, the buyer, OEO, Labor
6 Standards, the end using department.

7 And the other issue there is,
8 we also want to have a plan -- we haven't
9 actually finalized this yet -- to also
10 bring in the vendors and talk to them on
11 an annual basis about their performance.
12 That's something we have to look at with
13 resource management and everything, being
14 able to do that with every vendor on an
15 annual basis. We're looking at maybe
16 looking at dollar thresholds and things
17 like that in terms of when we would call
18 these vendors in.

19 And then on the OEO and EOP
20 side of the shop, we're asking Labor
21 Standards and the Office of Economic
22 Opportunity, the specialists in those
23 agencies to submit issues as they come up
24 in the system. The module allows those
25 issues to then be tracked with the

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2 contract with the vendor in perpetuity so
3 we have that history. And one struggle
4 that we have now is and what the system
5 solves for is having a centralized place
6 to do that.

7 So that's pretty much the long
8 and the short of it. Let me know if you
9 have any questions.

10 CHAIRWOMAN HARPER: Needless to
11 say, OEO is really happy to be involved
12 with this. It's really important that
13 there is a certain level of transparency
14 across departments, across government
15 when contracting decisions are being
16 made. So we appreciate you including us,
17 and of course we will continue to be a
18 partner with you on this.

19 DEPUTY COMMISSIONER SUSI:
20 Great. Looking forward to it.

21 CHAIRWOMAN HARPER: Thank you,
22 Nick.

23 DEPUTY COMMISSIONER SUSI:
24 Thank you.

25 CHAIRWOMAN HARPER: And last,

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2 but certainly not least, I would like to
3 welcome up Dil from Tiger Communications
4 to share his testimony and experience as
5 a vendor working with the City of
6 Philadelphia.

7 (Witnesses approached witness
8 table.)

9 MR. KULATHUM: Good morning.

10 CHAIRWOMAN HARPER: Welcome.

11 MR. KULATHUM: Thank you for
12 having me, and thank you, Alice, for
13 inviting me. We appreciate that.

14 I have my colleague here,
15 Mr. Eric Smith. He's my Vice President
16 of Business Development and Community
17 Relations, a longtime friend of mine, and
18 he's helping me out with maybe a few
19 comments that can add some context.

20 Thank you for inviting Tiger
21 Contractors. We specialize in heavy
22 civil work. We're one of the few heavy
23 civil MBE OEO-certified firms in the
24 region actually. So that being said, the
25 Doing Business with Philadelphia program,

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2 with the City program, was a great help
3 to me as someone who is transitioning
4 from, if you would, corporate America,
5 the last 23 years of living in five
6 countries, traveling to 60. I came from
7 a large company background or companies
8 background, and as I looked into the
9 Philadelphia area for investments and
10 saying, okay, what can I do here in my
11 own backyard, The Enterprise Center
12 connected me with the Doing Business with
13 the City program. So basically that
14 exposure to the five key departments and
15 over ten special speakers helped me to
16 convince myself, my wife to invest our
17 personal savings, our retirement savings,
18 after great discussion, in a heavy civil
19 firm, basically doing excavation,
20 concrete work, utility tank work, those
21 type of things, paving.

22 So it's pretty much working
23 with local unions like 542 and 57 in
24 order to do projects that we initially
25 just started with in the Kensington area

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2 with water and sewer main reconstruction.

3 We're replacing fill tanks for the City

4 Police and Fire Departments as a sub, and

5 we're going to do green infrastructure

6 projects so far. So so far we have three

7 projects. We're very happy about that.

8 We've invested some significant

9 funds in a sophisticated ERP accounting

10 system for construction to make sure that

11 we can be fully compliant with some of

12 the challenges that are payment terms and

13 compliance terms, if you would, to make

14 sure that we're not the holdup in any

15 situation.

16 But we're very happy about the

17 progress so far. Run into a few little

18 road bumps along the way, but nothing

19 that we couldn't sort out, but I'm very

20 much appreciative to the City, Doing

21 Business with the City program, and as I

22 mentioned to Alice and many others, I

23 said I wish more folks would take

24 advantage of these programs and just show

25 up and listen to how they can learn about

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2 doing business with the City. Even
3 though it can be intimidating at times, I
4 think that the team there makes it a lot
5 easier to maneuver through the system and
6 learn the ropes, if you would.

7 We want to grow in Philadelphia
8 and invest in the folks and hire folk
9 here locally, which we are a company that
10 does the work. We don't contract out the
11 work. And I asked Eric to join me, as he
12 can comment that one of the biggest
13 challenges we heard was getting people.
14 And I said I would -- I said, well, if
15 that's going to be an issue, I'm always
16 about people first, systems and processes
17 second, if you would. So if I don't have
18 people and great people that we can
19 invest in and treat right and serve, if
20 you would -- I believe in servant
21 leadership -- then I can't have a
22 company.

23 So I'd love to have a company
24 with several hundred people. And
25 actually Ms. Valarie Cofield mentioned

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2 Philadelphia is one of the only cities in
3 the nation in the top six or seven that
4 doesn't have a significant MBE
5 construction company, and she challenged
6 me to be that company.

7 So Eric can comment on what
8 we're doing with the Randolph School and
9 some other initiatives to reach out real
10 quick, if that will give you context on
11 trying that, and then feel free to ask
12 whatever questions you may have.

13 Eric.

14 MR. SMITH: Sure.

15 Should I hold for any
16 questions?

17 Okay. So my name is Eric
18 Smith, and through my relationship with
19 Dil, one of the things that I've been
20 focused on, amongst many things, is
21 leveraging the relationship that I
22 personally have been able to develop with
23 A. Philip Randolph Career and Technical
24 High School in Philadelphia.

25 Coming from the corporate

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2 setting as well, the last several years
3 I've sat on the OAC Board for the school.
4 The specific focus has been with the
5 welding program there at the school, and
6 without question, one of the things that
7 Dil had mentioned is something he hears
8 over and over again, and I heard the same
9 conversation over the weekend with
10 friends, is being able to find quality,
11 skilled workers. So here with the
12 school, for those of you that are
13 familiar with it for the welding program
14 specifically, one of the things that I've
15 been focused on with my former
16 corporation is really getting that
17 program up to being a state-of-the-art
18 welding program, but along the way, one
19 of the things that I found connecting the
20 dots is these children are coming out 18,
21 19 years of age. They're coming out with
22 their D1.1 certifications and they
23 already have welding. Some of them have
24 multiple, some have single.

25 We just celebrated last

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2 Thursday -- I had the honor of being down
3 at School District headquarters and we
4 just celebrated the graduating class from
5 Randolph, which contained its second
6 graduate of the program, which was
7 reinvigorated back after being dormant
8 for a number of years. So it came back
9 into play in 2012, I believe it was. But
10 they just graduated their second female
11 welder, but they graduated a class of 15.
12 The first female welder graduated out of
13 the program two years ago. She works for
14 SEPTA and was the first female welder
15 hired in a decade.

16 But the story gets better. One
17 of the things that brought me to looking
18 at connecting dots with Dil is, the
19 school has nine different disciplines,
20 for those of you that have been there,
21 and outside of welding, auto body and
22 automotive repair, but construction. So
23 if you're looking for a skilled
24 workforce, go no further than the school.
25 These children are coming out of school

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2 and they're ready to go to work. And so
3 I see this as a potential opportunity to
4 tap into a feeder pool that's doing the
5 right thing, because we are ultimately
6 looking to try to employ our young.

7 So those are just a couple of
8 things that I've been focusing on
9 personally to help Dil as we're looking
10 to build this organization here in Tiger
11 Contractors.

12 That's pretty much it.

13 MS. RODRIGUEZ: So what trades
14 is your company looking for?

15 MR. KULATHUM: Currently Tiger
16 Contractors focuses on the heavy civil
17 operating engineers, laborers that does
18 excavation, site work, concrete work, et
19 cetera. But I must admit that I am
20 looking at the MEP sector, which is
21 mechanical, electrical, plumbing. I've
22 been challenged through my historical
23 corporate experience to kind of help the
24 situation. As a lot of family businesses
25 are going through succession, would I be

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2 interested in partnering and basically
3 taking over certain initiatives in those
4 sectors and help them grow.

5 I am not a trades specialist by
6 my background. I'm a business person
7 that wants to grow companies and people.
8 So initially it's heavy civil, but there
9 are other sectors that as the needs and
10 opportunities present themselves that I
11 would like to look at as well, and we're
12 putting in the people, systems, and
13 processes to help do that.

14 CHAIRWOMAN HARPER: I'm going
15 to double Valarie's challenge to you.
16 I'm going to add to it, but I want to ask
17 you, what do you think as a vendor for
18 the City of Philadelphia, what can we do
19 better and how can we better support you
20 in business?

21 MR. KULATHUM: I appreciate
22 that question, and believe me, I think
23 the City is doing a wonderful job and I
24 appreciate the content of the topics of
25 agendas today. Just this morning as we

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2 were coming in on the train, just a
3 couple things I was dealing with, that to
4 make it easier for getting payment, for
5 example, is certainly a great initiative.

6 CHAIRWOMAN HARPER: You heard
7 that, right? We're working on that.

8 MR. KULATHUM: So that's
9 helpful. And I can give a specific is --
10 and I don't know if you get into this
11 type of project. On my first project,
12 May 2nd, we hit a sinkhole. We
13 discovered a sinkhole on the project my
14 first day, and I incurred \$70,000 worth
15 of two weeks worth of work that I had to
16 pay, and I understand that I technically
17 won't be paid for six months potentially
18 on that. So that's kind of a bit of a
19 stretch for a small new company like
20 myself. So to be honest with you, I'm
21 scrambling on how to get that covered,
22 because if I understand the City's
23 processes, that is a significant fund for
24 me, that I've got people and real people
25 and equipment to pay for, if you would.

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2 So that's just when there are nuances to
3 a City project when you're doing the
4 work, I'm not passing any material
5 through, I'm doing the work, that would
6 certainly be helpful when there's a
7 change order situation and we're the sub
8 to a prime. And, by the way, the primes
9 that we're working with are wonderful.
10 Certain primes are more embracing of us
11 being on the scene. Other folks are a
12 bit more concerned, but I appreciate the
13 efforts by the City to kind of maintain
14 participation levels or encourage that.

15 The other thing I would talk
16 about is that we're working on a project
17 that I understand that there's a process.
18 I don't know when I need my crews.
19 There's something called an NTP, notice
20 to proceed. So I asked the simple
21 question, when can I start on this
22 particular project? And, by the way, the
23 projects that I have are hundreds of
24 thousands of dollars, and I have to
25 dedicate people and resources to that. I

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2 don't know when this project is starting,
3 so it's kind of hard to balance things
4 inside a business when you don't know
5 when a key project may or may not start.
6 So that would certainly be helpful. And
7 maybe it's just me learning the process,
8 but if it is something like that, that
9 would certainly help. I'm willing to
10 learn.

11 And I appreciate the folks from
12 the Phillies who were here. I didn't
13 know anything about those projects, and I
14 believe we can certainly help on some of
15 those as well, and Mr. John encouraged me
16 to meet up with him, so I appreciate
17 that. Just knowing who is out there, and
18 we'll give it a shot.

19 We're waiting on eight
20 different projects that we hope to bid
21 on. Some of them are more embracing,
22 some are less so, but that's okay. We're
23 persistent.

24 CHAIRWOMAN HARPER: Well --

25 MS. BAYLOR: I just wanted to

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2 say great job from what I heard, but I
3 just wanted to ask, how many of your
4 employees come from Philadelphia?

5 MR. KULATHUM: Other than
6 myself and two partners, everyone else is
7 from Philadelphia, and that's where we
8 want to grow. I mean, I literally hope
9 to have several hundred people as we grow
10 this and all from within Philadelphia, if
11 we can do that. But I've heard from the
12 union halls and stuff that they're having
13 a hard time. I said, well, I need people
14 to grow my business. I can't grow
15 without people. So hopefully we can
16 connect the dots on that. And since most
17 of the work is in those regions and in
18 Philly, I would like to hire local. It
19 only makes sense. And I used to be with
20 Cardone Industries, and most of our folks
21 were right here in the Philly area. So I
22 hope to hire local if we can find enough
23 people.

24 MS. BAYLOR: Thank you.

25 CHAIRWOMAN HARPER: Well, you

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2 are certainly the type of vendor that we
3 would love to support, continue to
4 support, I should say. I have made note
5 of your thoughts and feedback, and
6 certainly as you heard, we're working on
7 some of that stuff, but I want you to
8 continue to consider OEO a resource. I
9 know you and Alice have a direct line to
10 one another, but certainly any time you
11 need to reach out to me, you should do so
12 as well.

13 MR. KULATHUM: Thank you.

14 CHAIRWOMAN HARPER: So I just
15 want to thank you again for coming, and I
16 wish you the best.

17 MR. KULATHUM: Thank you so
18 much. I appreciate you all's support --

19 MR. SMITH: Thank you.

20 MR. KULATHUM: -- and
21 initiative here in the City. Thank you.

22 CHAIRWOMAN HARPER: All right.
23 Was there anyone that was not on the
24 agenda that wanted to provide testimony
25 today that is in the audience?

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2 (No response.)

3 CHAIRWOMAN HARPER: Seeing as
4 there is no one, I would like to adjourn
5 this Committee meeting, and we will be
6 back again in September. So everyone
7 have a great summer.

8 (Economic Opportunity Review
9 Committee adjourned 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.

MICHELE L. MURPHY
RPR-Notary Public

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