

EOP version February 1, 2018

Project name: 3.0 University Place

Name of developer: University Place Associates

Headquarters location: 30 N 41st, Philadelphia, PA 19104

No. employees: 3

Annual revenues: \$2,500,000.00

Project budget (construction): \$130,000,000.00

Project budget (professional services): \$10,000,000.00

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City of Philadelphia

Economic Opportunity Plan

3.0 University Place

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I. Introduction and Definitions

The City of Philadelphia strongly encourages the use of certified Minority ("MBE"), Women ("WBE"), Disabled ("DSBE") and Disadvantaged ("DBEs") Business Enterprises (collectively, "M/W/DSBEs") and minority and female workers in all aspects of **3.0 University Place** (the "Project") located at **4101 Market St, Philadelphia, PA 19104** ("the Site") which may include financial investment, design, construction, and operations. ¹ In support of this objective, the City of Philadelphia will require that **University Place Associates** (the "Owner") commit to this Economic Opportunity Plan ("EOP" or "Plan"). This Plan contains ranges of projected M/W/DSBE utilization and goals for the employment of minority and female workers in connection with the Project at the Site. This Plan shall be a part of and incorporated into the resulting agreement(s) with the owners of the **3.0 University Place**.

The Owner hereby verifies that all information submitted to the Office of Economic Opportunity ("OEO") in response to this Plan is true and correct and takes notice that the submission of false information is subject to the penalties of 18 PA C. S. Section 4904, relating to unsworn falsification to authorities and 18 PA C. S. Section 4107.2 (a)(4), relating to fraud in connection with minority business enterprises or women's business enterprises.

For the purposes of this Plan, MBE, WBE, DBE and DSBE shall refer to certified businesses so recognized by OEO. Only the work or supply efforts of firms that are certified as M/W/DSBEs by an OEO-approved certifying agency will be eligible to receive credit as a Best and Good Faith Effort. ² In order to be counted, certified firms must successfully complete and submit to the OEO an application to be included in the OEO Registry which is a list of registered M/W/DSBEs maintained by the OEO and available online at <https://phila.mwdsbe.com/>.

For this Plan, the term "Best and Good Faith Efforts," the sufficiency of which shall be in the sole determination of the City, means: efforts, the scope, intensity and appropriateness of which are designed and performed to foster meaningful and representative opportunities for participation by M/W/DSBEs and an appropriately diverse workforce and to achieve the objectives herein stated. Best and Good Faith Efforts are rebuttably presumed met when commitments are made within the M/W/DSBE participation ranges established for the Project and a commitment is made to employ a diverse workforce as enumerated herein.

II. Project Scope

The **3.0 University Place** project is an 8-story 274,294 SF, Class A commercial lab and office building. The physical address for this project is: 4101 Market Street, Philadelphia, PA 19104. **3.0 University Place** will be a high-tech, forward-thinking building to engage, house, and promote the robust local network of research, science, and technology start-ups. The programming of **3.0** builds upon the momentum of emergent work environments occurring worldwide (such as co-working). It is being designed to transform the traditional laboratory from a dark enclosed space, to a light-filled bright space. The design has built-in capability to enhance or upgrade laboratory equipment and systems to suit tenant needs. The building will maximize energy efficiency and rainwater reuse. Demonstrated through its LEED v4 Platinum certification, the building will go beyond minimum code compliance to reduce wasteful consumption of energy, water, and natural resources and reverse the effects of climate change. An efficient chilled beam heating and cooling

¹ Disadvantaged Business Enterprises ("DBEs") are those socially or economically disadvantaged minority and woman owned businesses certified under 49 C.F.R. Part 26.
² A list of "OEO approved certifying agencies" can be found at www.phila.gov/oao

system will be coupled with high-efficiency LED lighting fixtures and dynamic glazing that will automatically tint to reduce uncomfortable solar heat gain.

III. Goals

A. M/W/DSBE Participation Ranges

As a benchmark for the expression of "Best and Good Faith Efforts" to provide meaningful and representative opportunities for M/W/DSBEs in the Project, the following participation ranges have been established. These participation ranges represent, in the absence of discrimination in the solicitation and selection of M/W/DSBEs, the percentage of MBE, WBE and DSBE participation that is reasonably attainable through the exercise of Best and Good Faith Efforts. These percentages relate to the good faith estimated cost of the entire Project. In order to maximize opportunities for as many businesses as possible, a firm that is certified in two or more categories (e.g., MBE and WBE and DSBE or WBE and DSBE) will only be credited toward one participation range as either an MBE or WBE or DSBE. The ranges are based upon an analysis of factors such as the size and scope of the Project and the availability of MBEs, WBEs, and DSBEs to participate in this development.

The following contract goals have been set for the Project:

Contracts	Minority Owned	Female Owned	DSBE	Total
Construction	30-35%	10-15%	BGFE	40-50%
Professional Services	20-25%	10-15%	BGFE	30-40%

B. Employment Goals

The Owner agrees to exhaust its Best and Good Faith Efforts to employ minority persons, by race and ethnicity, and females in its workforce of apprentices and journeypersons at the following levels:

- African American journeypersons: 22% of all journey hours worked across all trades
- Asian journeypersons: 3% of all journey hours worked across all trades
- Hispanic journeypersons: 15% of all journey hours worked across all trades
- Female journeypersons: 5% of all journey hours worked across all trades
- Minority apprentices: 50% of all hours worked by all apprentices
- Female apprentices: 5% of all hours worked by all apprentices

**Local Residents
32%**

The Owner will be required to submit to the City, no later than seven (7) days before the starting date of work on any such contract, a Workforce Diversity Goal Plan which shall include specific availability and utilization strategies for meeting the Workforce Diversity goals. The City's Labor Standards Unit shall have the responsibility of administering oversight of these Workforce Diversity Goals including evaluating the sufficiency of the Workforce Diversity Goal Plan, and monitoring the successful Bidder's Best and Good Faith Efforts towards realization of the goals throughout the duration of the contract.

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IV. Equity Ownership

The Philadelphia Code 17-1603 requires that each Economic Opportunity Plan include information concerning the Equity Ownership (as defined) of (1) the contractor, developer and/or recipient of financial assistance required to submit the Plan; (2) participants (as defined) engaged by the contractor, developer and/or recipient of financial assistance; and (3) the eventual owner or owners of the project or contract to which the Plan relates; and requiring periodic reports for the purpose of updating Equity Ownership information; all under certain terms and conditions.

Identify the current equity owners of the project.

Type of Ownership	% Minority Owned	% Women-Owned	% Disabled Persons
Sole Proprietorship			
Partnership	0%	0%	0%
Corporation			

If the project is privately owned, the following individuals will become the anticipated Equity Owners upon completion.

Type of Ownership	% Minority Owned	% Women-Owned	% Disabled Persons
Sole Proprietorship			
Partnership	0%	0%	0%
Corporation			

Following the completion of the project, the project owner is responsible for meeting the reporting guideline identified in the Philadelphia Code³.

V. Diversity Practices

In compliance with Chapter 17-1603, the Economic Opportunity Plan shall contain a statement from the contractor, developer, and/or recipient of financial assistance summarizing past practices by identifying and describing examples of processes used to develop diversity at any/all levels of its organization including,

³ Per The Philadelphia Code 17-1603: *Continuing Reporting Requirements*.

(i) Within 30 days of each anniversary of the date that the Plan is finally certified, the contractor, developer and/or recipient of financial assistance shall file with the Chief Clerk of Council and the certifying agency an addendum to the original Plan that provides the Equity Ownership information required in subsection (g)(.2), updated so that it is accurate as of the anniversary date. This requirement shall continue until the project is completed.

(ii) The final EOP report required pursuant to § 17-1604(2)(.a) shall include updated Equity Ownership information that is accurate as of the date of the final report.

(iii) After the final EOP report has been filed, the owner or owners of the completed project shall have a continuing obligation to file a Statement of the owner's or owners' Equity Ownership within 30 days of each anniversary of the date that the final EOP report is submitted. The Statement shall be accurate as of the relevant anniversary date, and shall be filed with the Chief Clerk of Council and the certifying agency. No Statement shall be required if the completed project is not privately-owned.

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but not limited to, Board and managerial positions. This statement shall also summarize strategic business plans specific to current or past practices of M/W/DSBE utilization on government and non-government projects and procurement.

1. Describe employment and recruitment policies used to achieve diversity in your workforce.

Led by Scott Mazo's vision of a socially, environmentally, and economically impactful project, the team was charged with incorporating forward thinking processes in all facets of the project development. The Team was assembled of individuals who each have decades of experience as advocates for community inclusion in the development and construction process. Each team member is responsible for collaborating with each other to thoughtfully develop and implement a program that would provide business opportunities for M/W/DSBE's as well as LONG-TERM employment opportunities for Philadelphia's minority residents.

3.0 Economic Opportunity Oversight Team (hyperlink included) Scott Mazo University Place Associates (UPA) Owner/Developer

Anthony Maher University Place Associates (UPA) President/Partnerships

Ed Nesmith Nesmith & Company Carp/Drywall Contractor

Ismail Shahid Laborers District Council of Philadelphia

Rob Smith Carpenters Apprentice Ready Program (CARP) Carpenters Union

Pam Andrews West Powelton/Saunders Park RCO President, Board Chair

Rico Joseph Mark Ulrich Engineers Mechanical Engineer

Blane Stoddard BFW, Inc. Const. Project Management

Kylee Pickens Construction Apprentice Preparatory Program Pre-Apprentice Training

Terri Freeland Construction Apprentice Preparatory Program Pre-Apprentice Training

Eric Lintner McDonald/Dale Strategic Alliance (MDSA) Construction Manager

Paul McDonald McDonald/Dale Strategic Alliance (MDSA) Construction Manager.

2. Provide the race, gender, and residential (local) status of your:

A. Directors

Scott Mazo (white, male, works in PHL, lives in suburban PHL) is the founder and CEO. Scott owns 100% of University Place Associates.

B. Management

Scott Mazo (white male) Anthony Maher (white male) Ed Nesmith (black male) Ismail Shahid (black male) Rob Smith (black male) Pam Andrews (black women) Rico Joseph (black male) Blane Stoddard (black male) Management Kylee Pickens (black women) Terri Freeland (black male) Eric Lintner (white male) Paul McDonald (white male)

C. General Workforce

No direct workforce but will adhere to the EOP percentages described above

3. Identify your organization's methods of solicitation and utilization of Minority, Woman and Disabled Businesses (M/W/DSBEs). Please be specific in describing outreach and any procurement policies that are focused on creating or sustaining business relationships with M/W/DSBEs.

PART 1: Employment Opportunity Plan: "Building 3.0 University Place" Introduction Given the fact that the core and shell of the building would be privately funded, The Team was afforded the opportunity to create an improved approach to maximize the effectiveness of M/W/DSBE business utilization and LONG-TERM employment opportunities for Philadelphia's minority residents. It is The Team's position that diversity in the construction trades is accomplished through LONG-TERM career-oriented employment. Therefore, we have created a process specifically for 3.0 University Place that seeks to provide opportunity for Philadelphia's minority residents to enter the trades as well as a process that maximizes the chances of success for those community members to remain employed for the long term.

Pre-Apprenticeship Program There are many factors that have prevented diversity in the trades. However, one of these obstacles is the absence of a structured entry process where a person who desires to enter a construction trade can be properly vetted, trained and matched with a potential employer. However, if there isn't an employer standing at the ready with a job opening, the process becomes a dead end. In effect, training is provided but a job isn't available. Herein lies the uniqueness of The 3.0 Team's approach. The Team is reversing the process by having a job opening available IN ADVANCE of vetting and training. The Team is negotiating entry level positions with our subcontractors in advance to create employment opportunities BEFORE the project starts. This advance commitment will allow The Team to have construction job positions on standby as we work on the second portion of our plan; providing the pre-apprenticeship training to meet predefined openings in the trades for the 3.0 University Place project. The Team has invested hundreds of hours developing this program as well as the relationships necessary to make it successful. To date, we have subcontractor commitments for pre-apprenticeship openings and our process includes partnerships with the Carpenter Union, Laborers Union and the Building Trades. For the pre-apprentice vetting and training, The Team has partnered with the Construction Apprentice Preparatory Program (CAPP) to identify qualified individuals for placement in specific trades with specific construction companies. Although there are too many details of this program to write in this overview, the following is a summary of the role CAPP will provide in this process.

UPA is committed to hiring 100% M/WBE for all artwork associated with our project specifically UPA is committed to hiring 100% black and brown female artists.

UPA is committed to hiring 100% M/WBE for neighborhood clean and safety initiatives that are launched from our project, specifically UPA is committed to hiring 100% local black and brown female leaders from Philadelphia to implement this program.

4. What percentage of your company's total spend with vendors and suppliers is attributable to M/W/DSBEs? Please include a list of the largest M/W/DSBEs used by your organization in the last 12 months.

3.0 University Place Project Goals M/W/DSBE Participation Ranges 35-45% Aggregate M/W/DSBE Participation.

5. Describe any initiatives made by your organization to increase investment and promote equity ownership by minorities and women.

CONSTRUCTION OPPORTUNITIES Best in class oversight committee formed in 2018. The committee is responsible to develop and implement a program that would provide business opportunities for M/W/DSBE as well as employment opportunities for Philadelphia's minority residents. Pre-apprenticeship jobs earmarked in advance. Working very closely and strategically with CAPP to ensure jobs exist on this project immediately. Our construction team, MDSA, is negotiating entry level positions with our subcontractors in advance to create opportunities before the project even starts. **CAREER CONNECTED LEARNING OPPORTUNITIES FOR STUDENTS + LOCAL SMALL BUSINESS SUPPORT STUDENTS:** 30,000 square feet of a community impact and business innovation space has been programmed for 3.0 University Place (the 4th floor). This unique floor inside 3.0 University Place will provide students with a career pathway to engage with life sciences and entrepreneurship. UPA has already established a partnership with Paul Robeson HS (located directly across the street from 3.0), and co-created a student program with 'National Principal of the Year' recipient- Richard Gordon of Paul Robeson HS. Beyond career awareness and career preparation for local HS students, we are committed to provide workforce development and paid internship

opportunities. **SMALL BUSINESSES: 2020 was unlike any other year in our history for local small businesses. UPA is committed to providing small business support in the form of incubation and accelerator programs for local entrepreneurs and small businesses in West Philadelphia. Access to capital, customer development, and growth strategy will be the programmatic building blocks of the small business support services inside 3.0 University Place. Local students will also be integrated in supporting the program. Full circular reference with both the career connected learning opportunity and the small business program support.**

6. The Plan shall contain a statement from the contractor, developer or recipient of financial assistance identifying all City contracts and financial assistance entered into or received by the entity and by any related corporate entities in the three years before execution of the EOP, or such greater amount of time as may be set forth in the record retention requirement of an applicable EOP, that were subject to an EOP that contained M/W/DSBE goals and/or workforce diversity goals. For purposes of this subsection (f.1), "related corporate entities" means any business entity controlled by a person or business with a majority interest in the business agreeing to the EOP.

VI. Responsiveness

A. The owner shall identify M/W/DSBE commitments and other agreements evidencing their intent to use Best and Good Faith efforts to employ minority persons and females at the levels stated herein. The identified commitments constitute a representation that the M/W/DSBE is capable of providing commercially useful goods or services relevant to the commitments and that the Owner has entered into legally binding commitments or other legally binding agreements with the listed M/W/DSBEs for the work or supply effort described and the dollar/percentage amounts set forth. In calculating the percentage of M/W/DSBE participation, the standard mathematical rules apply in rounding off numbers. In the event of inconsistency between the dollar and percentage amounts listed on the form, the percentage will govern.

B. M/W/DSBE commitments are to be memorialized in a written subcontract agreement. Letters of intent, quotations, contracts, subcontracts and any other documents evidencing commitments with M/W/DSBEs become part of and an exhibit to the Agreement resulting from the RFP.

C. OEO will review the owner's commitments for the purpose of determining whether Best and Good Faith Efforts have been made. OEO reserves the right to request further documentation and/or clarifying information at any time during the construction and development of the Project.

VII. Compliance and Monitoring of Best and Good Faith Efforts

A. The owner agrees to cooperate with OEO in its compliance monitoring efforts, and to submit, upon the request of OEO, documentation relative to its implementation of the Plan, including the items described below:

- Copies of signed contracts and purchase orders with M/W/DSBE subcontractors
- Evidence of payments (cancelled checks, invoices, etc.) to subcontractors and suppliers to verify participation; and
- Telephone logs and correspondence relating to M/W/DSBE commitments.
- To the extent required by law, the Owner shall ensure that its on-site contractors maintain certified payrolls which include a breakout of hours worked by minority and female apprentices and journeypersons. These documents are subject to inspection by OEO.

B. Prompt Payment of M/W/DSBEs

The owner agrees and shall cause its contractors to ensure that M/W/DSBEs participating on the Project receive prompt payment for their work or supply effort within five (5) days after receipt of payment from the project owner.

C. Oversight Committee

For this Project, an Oversight Committee (“Committee”) must be established if the project budget exceeds five million dollars. With the sole discretion of the City, an oversight committee may consist of representatives from the Owner, representatives of the building trades, the construction manager, and the City which may include the Project site’s district councilperson, OEO, and appropriate community organizations. The Committee will meet regularly to provide advice for the purpose of facilitating compliance with the Plan.

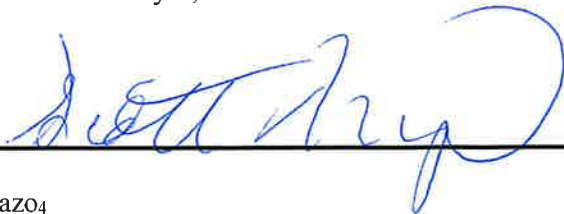
D. Reporting

The owner agrees to file an annual report with the City of Philadelphia and City Council concerning the performance of the Economic Opportunity Plan through the duration of the Project. In addition, during construction, the Owner will provide "snapshot" reports containing updates for certain categories of information contained in its annual report on a monthly basis during construction. Snapshot reporting will include: (i) utilization of M/W/DSBEs, and (ii) the hiring and employment of minorities and females. All reports (quarterly & annually) provided to the City under this section will also be provided to the Office of Economic Opportunity.

VIII. Remedies and Penalties for Non-Compliance

A. The owner agrees that its compliance with the requirements of this Plan is material to the Agreement. Failure to comply with the Plan may constitute a substantial breach of the Agreement and is subject to the remedies and penalties contained therein or otherwise available at law or in equity. Notwithstanding the foregoing, no privity of contract exists between the City and any M/W/DSBE identified in any contract resulting from implementation of the Plan. Neither the Owner nor the City intends to give or confer upon any such M/W/DSBE any legal rights or remedies in connection with subcontracted services under any law or policy or by any reason of any contract resulting from implementation of the Plan except such rights or remedies that the M/W/DSBE may seek as a private cause of action under any legally binding contract to which it may be a party.

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Scott Mazo
Chief Executive Officer
University Place Associates
scottmazo@gmail.com

Date

Lynn T. Newsome

10/3/2022,

Date

Lynn T. Newsome⁵
Deputy Commerce Director for the Office of Economic Opportunity
Department of Commerce
City of Philadelphia

⁴ The Owner's Representative is required to sign and date, but the City reserves the right to obtain the Owner's Representative signature thereon at any time prior to Plan certification. The Owner Representative will receive from the City a certified copy of its Plan which should be filed with the Chief Clerk of City Council within fifteen (15) days of the issuance and published by OEO, in a downloadable format, on the OEO website.

⁵ Pursuant to Section 17-1603 (2) of The Philadelphia Code, the representative of the City of Philadelphia's Office of Economic Opportunity, the "certifying agency", certifies that the contents of this Plan are in compliance with Chapter 17-1600