

Boston Employment Commission Hearing Minutes

A monthly hearing of the Boston Employment Commission (**BEC**) was held on Wednesday, November 20, 2019 at One City Hall Plaza, Conference Room 801, Boston, MA 02201.

Commissioners

Present: Commissioner Travis Watson, Commissioner Deborah Wright, Commissioner Charles Cofield, Commissioner Kenell Broomstein, Commissioner Stephanie Everett and Commissioner John Redd

Hearing Begins: 1:04 PM

Commissioner Watson took time to wish Community Activist, Janet Jones of the Boston Jobs Coalition a Happy belated "Milestone" Birthday.

I. MINUTES

October 16, 2019 minutes were accepted and approved.

II. SPECIAL PRESENTATIONS

A. Terrace Street Artist Apartments

Duration: 8 mins.

Present: Wyatt Komarin (Primary Development), Tom Pagos (Waypoint General Contracting) and Robert Woodson (BRJP Monitor)

Project Overview

Wyatt Komarin (Primary Development): Introduced a rendering of the project and explained that it is 14 – 100% Artist Apartments. The RFP was put out in 2016 and a community process was conducted and Primary Development won the bid. There will be 7 homeownership units. The two locations will have common spaces. Mission Hill has not received much redevelopment attention and Primary Development is committed to bringing it back to vitality. **Commissioner Watson:** What's your understanding of the new BRJP Ordinance? **Tom Pagos (Waypoint General Contracting):** This is our 2nd Boston Jobs project. We hit 2 out of 3 requirements and have reached out to John Dunham (City of Boston's Job Bank) and Greg Mumford (Youth Build) who were extremely helpful. The project hasn't started and is not yet bought out (**scope of work list attached**). **Commissioner Watson:** What was the past performance and buy out? **Robert (BRJP Monitor):** 206 West Broadway under Old Ordinance had 18,000 work hours – 48% Boston Residents, 48% People of Color and 13% Females. The majority of the same subcontractors have been brought back and the bad apples have been weeded out. **Commissioner Watson:** I commend you on your efforts towards the BRJP requirements. Any feedback you can give on Best Practices to the BRJP office from your past projects would be greatly appreciated. **Tom Pagos:** We can do that.

Public

Janet Jones (Boston Jobs Coalition): It's important that you keep up the standard. Artists have been displaced in the city. This sounds excellent.

B. 25 Amory Street

Duration 9 mins.

Present: Brian Goldson (JPND), Teronda Ellis (JPND), Andre Barbour (NEI General Contracting), Joe Becker (DND) and Robert Woodson (BRJP Monitor)

Project Overview

Commissioner Watson: I respect your efforts on the past 2 projects to ensure that Boston residents get at least minimum wages whether union or non-union. **Teronda Ellis (JPNDC):** There are challenges with diversity and inclusive work. However, affordable housing is supported in the city. We worked with partnering organizations and have piloted this process twice and will do the same with this project. **Commissioner Watson:** Again, I respect your leadership position. Wage theft is rampant and any tools put in place to help that I support. **Andre Barbour (NEI General Contracting):** Reviewed the handout given to the Commissioners explaining NEI's detailed process for this project. The topics were: *25 Amory – Schedule, Owner Contract Goals, Compliance & Diversity and Application Process*. **Commissioner Watson:** Robert what has the conversation been with NEI? **Robert Woodson (BRJP Monitor):** Dialogue has been good so far. This project is a pilot program for Salesforce. **Commissioner Watson:** Having gone through pilot projects, please keep communications open with BRJP office. Not to put too much pressure on this project, but I'm excited because you share same values. When do you anticipate the 25% review? **Andre:** April 2020.

Public

Janet Jones (Boston Jobs Coalition): It's a pleasure working with NEI and I suggest the lessons learned from Whittier Street Apartments would be well taken.

C. One Congress St. Bulfinch Crossing

Duration 12 mins.

Present: John Hurley (HYM Investments), Finn O'Sullivan (JMA), Karen Blessington (JMA), Kate Blessington (JMA) and Pamela Ruffo (BRJP Monitor)

Project Overview

Commissioner Watson: Finn, what is your role at JMA? **Finn O'Sullivan (JMA):** Senior Project Executive. **John Hurley (Hym Investments):** Presented rendering of 1 million square foot building. State Street is expected to move its headquarters to this building, 2023. The building was permitted in 2013 (including the Residential Bulfinch Crossing). **Commissioner Watson:** Giving the size of this project, do you approach this differently? **Finn:** I want to thank Karen and Kate for the hard work. What we are doing differently is going into Trade schools in Boston and surrounding areas to expose students as young as 15 years old to encourage them to get into the trades. Core team needs to be built around Boston residents, People of Color and Females. **Commissioner Watson:** There needs to be a plan for subcontractors who might have a challenge with workforce/core crew. **Pamela Ruffo (BRJP Monitor):** Great kickoff. JMA is in the process of building the pipeline and showing good example of taking it seriously to the other subs. Kate and Karen do a great job. I'm looking forward to the 25% review.

Public

Mary Vogel (Building Pathways): UMass Building Authority. Making sure core crew is diverse at the beginning is the Best Practice process.

PROJECT REVIEWS

A. New Balance Sports Complex

Duration: 16 mins.

Present: Dan McGillicuddy (New Balance Development), Kate Blessington (JMA), Karen Blessington (JMA), Jaime Noon (JMA) and Pamela Ruffo (BRJP Monitor)

Project Overview:

46,387 wkhrs, 30%BR, 38%POC, 4%F

Pamela Ruffo (BRJP Monitor): I'd like to update Overall Numerical Compliance number reported regarding Boston Residents. It should be 31%. Also, due to an administrative error with S&F payrolls, a worker who resides in Brighton as a non-resident was considered Brighton and not Boston on the payroll. When the payroll was corrected it brought the numbers from 21% to 26% and 30% to 31%. A handout of Corrective Action documentation from Corrective Action Meeting held on November 15, 2019. **Commission Watson:** There have been a number of projects that J. Derenzo hasn't performed well on, but this is solid for them. What was different? **Jaime Noone (JMA):** We paid attention to them. **Commissioner Watson:** Resident verification is 73%? **Pam:** Actually it's 78% (8 residents need to be verified). **Commissioner Cofield:** With Finn's hard work, I don't understand why the Carpenters have 27 workers @ 3% Boston residents. **Kate Blessington (JMA):** S&F doesn't divide by Carpenters and Laborers which is an error in report, but they will increase to 10%. **Commissioner Cofield:** If there's anything I need to do, let me know. Tom Flynn and John Murphy are dedicated to the goals of BRJP. Whatever we have to do, we'll get it done. We have Boston workers. We need a phone call. Business Agents need to let us know. Also, would like to note that the Carpenters Union name has changed to include New York and we are now called North Atlantic States Regional Council. **Jaime:** State Electric does pretty good for us. **Commissioner Watson:** Any additional remarks from JMA? **Jaime:** We are just coming out of the ground. As we increase the workforce, the numbers will grow. **Commissioner Wright:** New England Foundation has zero females. Is there not a lot of females in this work? **Pam:** Those are trades that struggle with female participation. We as a city explain to the GC to do better on laborers. **Commissioner Cofield:** Local 56 bench is empty. Piledrivers as it relates to women most likely will not increase. It is a difficult job.

Public

Janet Jones (Boston Jobs Collaborative): This is concerning because DOT Block is going to be starting. We want a full fledged community oversight process starting early on and need a meeting sooner than later.

B. Parcel G at Northpoint

Duration: 18 mins.

Present: Nicole Labossiere (Divco West RE Svs LLC), Karen Blessngton (JMA), Kate Blessington (JMA), Bill Wilbur (JMA) and Pamela Ruffo (BRJP Monitor)

Project Overview:

18,928 wkhrs, 29%BR, 45%POC, 4%F

Pam Ruffo (BRJP Monitor): ½ of this project is in Boston and ½ is in Cambridge. **Commissioner Watson:** How difficult is that? **Karen/Kate (JMA):** It's difficult. **Commission Watson:** Are you experiencing conflict? **Karen:** JM Brown was charging their hours to our job because Consigli was out there too. 51% of the project is Cambridge and 49% is Boston. 2 buildings – 1 JMA and 1 Consigli. **Commissioner Watson:** Is this a first? **Pam:** It's a challenge because we have to stress their documenting both sides. The number 1 priority is scope of work so it's understandable. **Commissioner Watson:** Part of what I'm hearing sounds a bit unreasonable. **Commissioner Watson:** Celina and Pam, whatever system you can come up with to alleviate the complexity of this set up would be appreciated. **Karen:** 3 weeks of work should not have been reported. JM Brown does do good for us. **Commissioner Watson:** AA Will is a great example of core crews from the start not reflecting diversity. Of the 14 people the hall gave only one Boston resident person of color. I would love to hear the disconnect; including American Plumbing. **Karen:** American Plumbing only had 300 hours. **Commissioner Watson:** Supplemental contract is huge – commend you on that. **Karen:** JM Brown could not get their check until we got the information. It's in the contract. **Commissioner Wright:** I always say, begin with the end in mind. **Bill Wilbur (JMA):** Major tenant requested major change. 35% increase in steel. Slowed down pace, but upward slow until we get caught up with steel (springtime estimation). **Nicole Labossiere (Divco West RE Svc LLC):** It hasn't been a normal job. It's a pleasure to work with this company. As many challenges, we're all strategizing to a successful completion. **Commissioner Cofield:** Cambridge is trying to use same system as Boston. Majority of contractors get this program. I'm blown away with GNC. **Karen:** I see the change with everyone. **Commissioner Cofield:** There are people here in the audience who are working in the field to make sure people are getting opportunities. Like Strive, the carpenters union is working with them. **Commissioner Watson:** I realize the administrative challenges cause you to have to be creative, but I don't want that to create a problem for the workforce piece. Thank you for supplying the MBE/WBEs information. **Karen:** Sometimes they don't acknowledge it on their emails. We have our

own database on that. **Commissioner Cofield:** This RM abbreviation, is that Resident Minority? **Karen:** Yes, that's how Shelley defines it.

Public

Barry Keating (Local 12): Danny's committed. There is nobody on the project. **Commissioner Watson:** Your word means a lot. **Barry:** One of the things American Plumbing did on another project was transfer a female worker (who was struggling) to the shop and trained her as a draftsman. **Commissioner Watson:** Thank you for the context. **Mary Vogel (Building Pathways):** About Cambridge, we are partners with them. American Plumbing has been great (Dan Bent). **Commissioner Watson:** Can we get a list of contractors you work with? **Mary Vogel:** Yes.

C. MMT Parcel 6 Boston Sword and Tuna

Duration: 15 mins.

Present: Kathryn Maynes (Pilot Development), PK Nelson (Commodore Builders), Karen Murphy (Commodore Builders), Jeff Martin (Commodore Builders) and Stacey Watson (BPDA Monitor)

Project Overview:

38,767 wkhrs, 25%BR, 29%POC, 9%F

Commissioner Watson: Is the project all union? **Jeff Martin (Commodore Builders):** Yes. **Commissioner Watson:** Can you give me a sense of the adherence to BRJP goals? **Jeff:** There are a lot of specialty details. There are 2 roofers. The BRJP standards are in their contract. **Commissioner Watson:** PJ Dionne – 13 workers, have they been verified? **PK Nelson (Commodore Builders):** They thought we were under the Old Ordinance. **Commissioner Watson:** The Old Ordinance was 1% less for residents (50%). Has payment been withheld? **PK Nelson:** Yes, 3 requisitions have been withheld. We don't release until they start showing Best Faith Efforts. **Commissioner Watson:** I would be hard pressed to find a letter saying we don't have what you're looking for. Barry, can you speak to this? **Commissioner Everett:** When was the payment withheld? Don't wait to get to the BEC to share the 75% after the fact picture. What can be done with the remaining 25%? What's the internal process? **PK Nelson:** Midway the project we include all BRJP process in contracts. We hold meetings every month to show the number status. **Stacey Watson (BPDA Monitor):** The numbers were very low overall (1% - 2%). The General Contractor has to go by the statistical reports I send and our data system, unfortunately, had issues that impacted the adequate statistical information. **Commissioner Wright:** So, it was lower than the 50% it's at now? **Stacey:** Yes. **Jeff:** PJ Dionne came on in March of this year. It's a big freezer box and 1 trade that do this work. Very heavy structural steel.

Public

Barry Keating (Local 12): We have people available. PJ Dionne is not a company that hires outside of their own. They're not communicative. Jeremy Ryan (Greater Boston Plumbing Contractors Association) he works for PJ Dionne. I would be willing to bet they asked Tim (?) to write a letter and he wouldn't. Journeymen female plumbers, I'd be willing to bet they don't have one. **Commissioner Watson:** Director Barrios, what I'm hearing is this company doesn't align with BRJP. I would love to have a conversation with them. If they have reservations reaching out to halls, I need to hear from both sides. **Jeff:** We keep track of historical data. **Commissioner Watson:** Withholding payment is great, but next best thing is to stop giving them business. **Barry Keating:** Local 12 would like to be invited to the meeting. On a personal note, the letter doesn't seem valid as it is not signed or dated. Paul probably doesn't know about it. **Commissioner Cofield:** We're all specialty trades. You wait too late to try to fix the problem. **Commissioner Watson:** Celina, I know it will be tough with the holidays upon us so perhaps the meeting can be scheduled for early 2020 (January/February). There could be a disconnect with the owner.

Janet Jones (Boston Jobs Coalition): I had an offer to meet with Commodore Builders regarding the Pilot school being constructed on Columbia Rd. Who's the contact person? **Answer:** PK Nelson.

III. DIRECTOR'S REPORT:

Duration: 5 mins.

Celina Barrios-Millner (Equity and Inclusion Director): There will be no December BEC Hearing. Happy Holidays! Our team will utilize this time to make sure January's BEC Hearing is up to date.

The Mayor has signed an Executive Order on Procurement from paper clips to new buildings. Certified businesses will be invited to bid including MBEs and WBEs. **Commissioner Watson:** Thanked community activists for being in the room.

Director's report accepted.

Hearing adjourned at 2:47 pm.