

Boston Employment Commission Hearing Minutes

A monthly hearing of the Boston Employment Commission (**BEC**) was held virtually on Zoom, September 16, 2020.

Commissioners

Present: Commissioner Travis Watson, Commissioner Charles Cofield, Commissioner Kenell Broomstein, Commissioner Stephanie Everett and Commissioner Carlos Espinoza-Toro.

Hearing Begins: 1:05 PM

Commissioner Watson called Hearing to order.

I. MINUTES

The February 19, 2020, June 17, 2020 and August 19, 2020 minutes will be approved at the October 21, 2020 BEC Hearing.

II. SPECIAL PRESENTATION

A. Innovation Square Phase 2 (New Ordinance)

Duration 30 mins.

Present: Chris Pierce (Related Beal), Jared Cianciolo (Consigli Construction), David Cullinane (Consigli Construction), Kacey Satchell (Consigli Construction) and Stacey Watson (BPDA Construction Monitor)

Project Overview:

Kacey Anne Satchell (Consigli Construction): Construction of 375,000 sqft Life Science Campus. Built in accordance with the Boston climate change preparedness and resiliency requirements, and LEED Gold. Although all Consigli projects are not under the New Ordinance as this project is, Consigli uses the New BRJP Ordinance standards. Consigli uses the historical reports of contractors' who have worked with the City of Boston and uses that information when making award decisions. Highlights subs that have a better workforce diversity history. Consigli and Related Beal helps make sure contract language includes BRJP as a line item and wants all subcontractors to bid with that in mind. Weekly meetings include talks about the goals for the project and if there will be challenges. Subcontractors bought out to date, are all well aware of the BRJP goals. **Commissioner Watson:** Chris Pierce, wise decision to bring on Consigli - they understand the BRJP program. Before I go any further, I want to acknowledge our returning Commissioner, Stephanie Everett, we are pleased to have her back on the Commission and welcome our new Commissioner, Carlos Espinoza-Toro from JPND. Kacey one of the subcontractors that did jump out is Ryan Ironworks. The experience with them before the BEC 2 years ago, was a disrespectful attitude, as they were out of compliance. They could potentially give you a headache. I'm hopeful they have had an awakening. Is there any challenges, or have there been any? **Kacey Anne Satchell (Consigli):** Currently Ryan Ironworks is at 77% BR, 39%POC, 0%women and I have been pressing them on the women piece. **Commissioner Watson:** The attitude conveyed during that hearing was that the trades are for guys. **Kacey:** They have been very responsive and open to my critique and have reached out to local 7 and there have been no women available (550, 7, 3). Only challenge is when other projects end and others begin, mobilization and ramping down. Locals don't have workers available is the challenge I see. Insulators (Local 6) are using travelers, people of color from GA. **Commissioner Watson:** The objective of this Commission is to employ people from the City of Boston in the Resident, People of Color and Female categories. Seems to me there are Insulators in Boston, maybe you have to go to Randolph. **Kacey:** I can only speak to local 6 because I tried to get someone into the local last year. They only take on people annually, 16 insulators for 2019, maybe 3 female. **Commissioner Watson:** It's hard for me to swallow when we have able body men and women who are ready to work here in Boston and we're bringing people up from GA. I try to be reasonable and understand specialty situations. We need to circle back on this. **Commissioner Espinoza-Toro:** Because I work a

lot with low-income immigrants to grow in the construction industry and they mostly speak Spanish. What kind of provisions do you make for this? **Kacey:** We've never been in a situation where English was the subcontractors 2nd language. We do have a robust personnel at Consigli and Related Beal to assist in translation if necessary. **Commissioner Watson:** Celina, I'd love to figure out safeguards on how to make sure if there are folks available in the city we're not going out of the state. I know the new ordinance doesn't prevent subcontractors from bringing in labor from 2000 miles away, but we have to do something and I want to revisit this. **Commissioner Cofield:** For informational purposes, there's a Build-A-Life program. There are 702 available women to be trained in the trades pipeline, 409 are People of Color, 274 are Boston residents. This is a program that is trying to prepare people to go into any trade. We need to have a discussion with John Barros and Mayor Walsh to talk to the Insulators about opening their doors more than once a year and not going to other states, if they need people. Are you having any issue with other trades in getting the numbers and people not being available? Some of the information coming back to you may not be true. **Kacey:** The information coming to me is forwarded from the locals. The contractor forwards the response from the BA. At the time, there was no one available (550, 3 and 6). **Commissioner Cofield:** I realize COVID has people saying no one available and people aren't coming back. I'd like to dig deeper to see if there's truth to people not being available. We can speak about this another time. **Kacey:** What's the most challenging with certain locals that there not up to speed in opening their doors across the board. I extend myself as a liaison to help them meet the numbers. It's disheartening they only open their doors once a year (100 people going for 12 spots) and if you miss the window, you have to wait for the next annual cycle. There's no priorities given to the BR, POC, F. **Commissioner Watson:** Is Consigli Signatory to Insulators and is this project open shop? **Kacey:** Consigli is Signatory to Carpenters, Laborers and Masons and the project is 100% union. **Commissioner Watson:** Understood.

Public:

Priscilla Flint-Banks (BEJI): This is unacceptable. We shouldn't have to go to Florida. **Mary Vogel (Building Pathways):** There are some local 550 women that are currently layed off. Is it Journey workers? You may want to revisit 550. **Kacey:** I can only speak to when the request was made, at the time, they weren't available. Once the opportunity is missed, I wouldn't want someone to be fired. **Commissioner Watson:** I respect that, but if it's someone from out of state and someone is here available, we have to give the person here the job. Please provide the correspondence that says they did not have employees to this Commission. **Kacey:** For clarification, the local 6 is taking people from out of state, Mary is talking about sprinklerfitters. I can get that information for you from local 6. **Commissioner Watson:** Consigli is one of the better GCs to have this situation and we can work on the solution together. **Kacey:** I will follow-up with you outside of this forum.

B. Parkway Apartments (New Ordinance)

Duration 30 mins

Present: Stacey Watson (BPDA Monitor), Rob Tierney (Lincoln Property), Michelle Latino (Callahan), Steve Carley (Callahan), Shelley Webster (InOrder Business Development Solutions)

Project Overview: Shared PowerPoint Presentation

Commissioner Watson: In terms of Equity and Inclusion lens, it's good to see you Shelley on this project, your work speaks for itself. **Shelley Webster (InOrder Business Development Solutions):** Thank you Commissioner, Callahan has been very supportive of the BRJP goals. **Stephen Carley:** We recognized the need for assistance in getting this done, and we reached out to Shelley. **Commissioner Watson:** Please address your understanding on the BRJP goals and New Ordinance. **Michelle Latino (Callahan):** Rendering of what the finished building will look like – LEED Gold, 2, 4 story apartment buildings. February 2022 estimated Completion. Little buyout remaining. As of September 8th, the percentages are current - 19.5%POC, 6.6% Female, 13%BR. **Shelley:** Michelle Latina, Project administrator has been very pro-active in staying engaged with subcontractors. Work has been very sporadic, no consistent work on the project so that's created a challenge in meeting the goals. I have shown Stacey the BFE, and other Correspondence. Unfortunately, we've only received one application but it is visibly posted. We have constant monitoring and engagement with the subs. One of the challenges is getting Boston residents. Derenzo has the most hours – they are pending Corrective Action, and we have been talking to them constantly about improving their numbers. **Commissioner Watson:** It's clear that with some folks like Derenzo he's operating in his own way and not consistent with BRJP standards. The question to Callahan, do you take previous subcontractors compliance with BRJP into consideration when considering for future awards and how heavily is it

weighed? Are there contractors on this project that have not performed well in the past that you have brought on, if so, why? **Stephen Carley:** Coming from largely open shop world, it's a hurdle. **Commissioner Watson:** recommendation - bring in an individual for the buyout process. Work with folks in the procurement stage and subcontractors that are will to partner with a program like Building Pathways, Build-A-Life or Youthbuild. **Commissioner Cofield:** Callahan, did you hire Shelley after you selected the buy out list? I see a lot of contractors on the list that have no history of meeting Boston hiring goals. **Stephen Carley:** With the delay in COVID, (I can't speak to timeline) we recognized our shortcoming and reached out to Shelley. We had some challenges with mom and pop companies. **Commissioner Cofield:** Lincoln Properties, look at contractors that have met Boston hiring goals in the past. Bringing on contractors that that have a poor history of meeting the goals won't help Shelley at all. I see a union contractor on here that doesn't meet the goals, and this isn't about union or non-union it's about fairness. **Commissioner Espinoza-Toro:** Shelly, what would you do to raise that 13%? **Shelley:** First, welcome, Commissioner. Basically the work has been very intermittent. If they only have 1-3 workers on the site at a time, I say 1 at a minimum should fill the goals. If any one leaving or transferring, they should leave diverse people on the site, it's not exceptable if there is no Boston workers on the site, if out of state contractor and working on Boston project, I ask what are they doing to improve the pipeline internally or organizationally or to train individuals from Boston to work on Boston projects. These contractors have been in existence for years and the requirements are nothing new, so they should be doing something to meet these categories for their core crew. I continue to push that. COVID is not an excuse for me. **Stephen Carley:** We are coming out of the ground with all well-known union entities - Prime Steel, Marguerite, Derenzo - I thought it would be the easy part of the job. **Commissioner Cofield:** Colt builders (woodframe) just started onsite, Optiline,(drywall) will be coming on - this will be a good percentage of the work, issues you need to address now before they get out of control. Framing, Windows, Sidewall, none of these contractors have good track records. **Shelley:** Michelle and I will be very pro-active on this and meet with them this week (Optiline and Colt Builders). Derenzo is the company bring the numbers down. Prime Steel 77%POC and 41.9%R. Aldon Electric 22.8%POC, 17%F, 20%R (3 people). Outside of Derenzo the rest of the companies have very low hours and are not active right now.

Public:

Priscilla Flint-Banks (BEJI): When is Derenzo going to be debarred? They should be sanctioned. **Commissioner Watson:** I do not have an answer for your question and have posed it to the BRJP administration. Will give an answer when I receive it. **Barry Keady (Plumbers – Local 12):** Who is the plumbing contractor? **Shelley:** McCormack. I'm glad you're on the call Barry. We should talk. McCormack says they are having a terrible time getting BR/POC and they need some type of internal training program. **Barry:** McCormack/Burlington, MA - I was at a BRJP meeting at VFW - They promised the community they were going to meet these Boston hiring goals. Last job on the BRA is 9%R, 17%POC, 0%F according to BRA database. The community asked and demanded better and it doesn't seem they are measuring up. They have to come to us and they don't have an interest. **Stephen Carley:** We reached out to some of your Signators and almost no response. **Barry: EM Duggin bid the job, Patriot Plumbing bid, and they were told no. Stephen Carley:** We've used Patriot, we know Duggin. **It wasn't lack of effort. Barry:** It was just about money? **Stephen:** Not at all. **Barry:** Duggan is available and could be on that job tomorrow, if asked. **Commissioner Watson:** Between Stacey and Shelley it will be a bit of a challenge, I hear Barry listing off numbers of a plumbing contractor not doing anything close to justice for R/POC/F, but because they are hitting the 7 compliance efforts they can escape the hiring goal requirements and doing administrative pieces just enough not to be sanctioned. It's a profound piece we need to look at. It's a point Commissioner Cofield and Espinoza-Torro made earlier regarding procurement and I made regarding buyout. **Priscilla Flint-Banks (BEJI): No disrespect Commissioner Watson,** the 7 Compliance Efforts were in addition to the New Ordinance. **Commissioner Watson:** No disrespect taken. It was my understanding too, however, as I was reading the New Ordinance, the areas around sanctioning replaced the amended ordinance - goes through the chain of process through BRJP/OED/BEC. **Celina Barrios-Millner (Equity and Inclusion Director):** 2017 amendment added the ability to sanction which wasn't as strong as prior ordinance, we are not able to sanction on workforce numbers, we would have to prove there is a pool of workers not being used and that's not legally sound. Boston Jobs Coalition helped draft the amended ordinance and that was the strongest we could make it within legal limitations. **Vincent Coyle (Local 7 – Ironworkers):** What are Marguerite numbers? **Shelley:** 19R%, 0%F, 38%POC. **Commissioner Watson:** Having you and other BAs present at the BEC Hearings helps provide insight on availability of workers. Thank you for being here. **Vincent:** We have the right to solicit our own work. Anybody can go to a job site and get put on a hiring list. **Mary Vogel (Building Pathways):** Before getting to sanctions a better approach is to provide technical assistance to contractors like the Best Practices document produce by PGTI -

Policy Group on Tradeswomens Issues called Finishing the Job. **Commissioner Watson:** Shelley I'm hoping that with your approach these numbers will be trending in the right direction. Looking forward to your review.

C. Northeastern EXP

Duration 25 mins

Present: Catherine Walsh (Northeastern University), Ronaldo Cheeks (Diversity Development), Lisa Kochilaris (Suffolk), Denis Garriepy (Suffolk), Brooke Woodson (Suffolk), Shelley (InOrder Business), Paul McAndrew (Northeastern University), Jacqueline Valencia (Northeastern University), Manuel Barbosa (BRJP Monitor)

Project Overview: Shared PowerPoint Presentation

Catherine Walsh (Northeastern): We came before the BEC for our first science building, the ISEC and we have the same people working with us. We Look forward to working with you glad to have Shelley on board with us.

Jacqueline Valencia – Share's Powerpoint. Paul McAndrews (NEU): goes through rendering construction layout of research facility – located East of Ruggles Station. **Catherine –** DIP payment of \$2.56M for Housing Trust to support affordable housing, creation of 550 new permanent jobs for faculty, staff, grad students and 725 construction jobs for duration of the project, minimum LEED Gold. **Lisa Kochilaris:** Project at full tilt a little over a year from now. **Shelley Webster (InOrder Business):** Northeastern and Suffolk is committed to the community, Northeastern has engaged Janey construction management as it's OPM and Joseph Magandazi as Clerk of the Works. Suffolk Cares - Trade Partners Series Contractor school - They mentor high schools for STEM Careers. We partner with PGTI, Building Pathways and Youthbuild. There is a business component on this project (10.4% goal), Mass Minority contractors association (M/WBEs), preparing for appropriate workforce and financial capacity and prime tier contractors being awarded. Working with Emerald Cities (Boston Contractors Academy). They will be training MEP contractors. We don't have many MEP union contractors and we're trying to get new emerging businesses into the pipeline to increase resources of MBEs. We are involved with Mass Housing Investment Corporation Racial and Equity Committee. The City of Boston Supply and Diversity Advisory Council. We are staying engaged with community organizations to get the word out. We have challenges with Boston residents and Females, however, People of Color not so much but try to tap into the pre-apprentice programs for resources and referrals. **Brooke Woodson: (Suffolk Construction):** Suffolk recently made donation to the Train the Trades program at Madison Park Development Corporation (M/WBE contractor relief fund) helping keep workers safe as we go through this crisis. **Commissioner Watson:** Those sorts of investment in nonprofits are huge. This is a nice commitment from Suffolk. In particular working with Madison, for those on the phone, if you're looking for help around local workers, Katrina Conrad (MPDC) is good at matching projects with hyper local workforce.

Public:

Barry Keady (Plumbers – Local 12): Appreciate Northeastern's commitment - they've always been good. I want to recommend that you reach out to the unions early. You mentioned not having a plumber yet. Sometimes stuff gets lost - he text the person from the Insulators and was told that Consigli did not reach out to them. **Ronaldo Cheeks (Diversity Consultant):** We will make a point to reach out to the unions. **Commissioner Watson:** This reaffirms my earlier comment on how important our partnerships are with both union building trades and open shop workers. The point Barry just made - Celina, Chris and Kim, I would like to reengage Consigli regarding the Insulator issue. That demonstrates a huge disconnect. Let's expedite the follow-up. Let me know whatever role I can play in that. **Mary Vogel (Building Pathways):** J. Derenzo is on this project and challenged in meeting the workforce participation goals on earlier projects discussed today. What is the plan for them to reach the goals? **Ronaldo:** Derenzo was first contractor on site. It's a lot of their sub tiers on site and minimal manpower at this time. We did have a Corrective Action Meeting with them. **Lisa Kochilaris (Suffolk):** We have commitments and names from them to meet 50% BR, 50% Minority and 17% Females and will stay on them until that comes to fruition. **Ronaldo:** Additionally, we have 6 MBE contractors, JL Marshall has Mello Rebar Installation (MBE contractor). **Carlos Espinoza-Toro:** Shelley, what is the percentage you would like to see? **Shelley:** We push to exceed the goals and watch the workers they are bringing on and taking off and will address if there is changes that conflict with the goals. **Commissioner Watson:** Look forward to your quarterly review.

III. PROJECT REVIEWS

Commissioner Watson will recuse from 37-43 N. Beacon – National Development sits on his employers Board of Directors and Elizabeth Stonehouse is being financed in part by his employer. He will exit from Zoom and return for the last project to review.

Commissioner Cofield will chair next two projects.

A. 37 – 43 N. Beacon Street

Duration: 24 mins.

Present: Eric Shinrok (Mt Vernon), Jason Allard (Cranshaw Construction), Takara Hamilton (BPDA)

Project Overview:

Takara Hamilton (BPDA Monitor): project started October 2019, ending April 2021 – 45% complete
38,000 wkhrs, 18.3%BR, 53.6%POC, 4.3%F

The project is steadily increasing Boston Resident and Female numbers over the year. It has been a challenge. Boston Resident Verification is 90% verified. Katrina Conrad of Madison Park Development Corporation works with subcontractors to find qualified candidates and she has been helpful. J Derenzo, - had Corrective Action before shutdown of COVID19 – we had discussed they would come back with the workforce to meet the BRJP goals, it didn't happen. We met with head of HR and they were not aware of situation with Derenzo's poor performance. Derenzo comes back at the end for a small amount of work and we will keep an eye on them to ensure goals are met. **Commissioner Cofield:** No defense for J Derenzo. They have no intention of meeting the BRJP goals. There's no time to correct their numbers. I have concerns about the other contractors. Plumbers have the best numbers of all, especially carpentry trades. What are we going to do to increase the numbers with North and South? **Takara Hamilton:** On BFE attached I detailed N/S as well as Universal Drywall – using carpenters from carpenters union. North and South have been on site for 3 months, we've been working with them to correct for the past 2 months. Craig Ransom has been very responsive and easy to work with. Richard Dipiam (Universal Drywall) sent 2 females to the site. Going forward there will be more females and Boston residents. **Jason Allard (Cranshaw Construction):** North and South will complete work within next week, Universal will finish up the interior framing, but has plenty of drywall work left. The two females Universal brought on I believe are residents. North and South worked on all framing and Universal on Light gage metal. **Commissioner Cofield:** I have been in conversation with Craig Ransom. This is an open shop job. I know they have been working to increase Boston Residents in Woodframe Local. Need to make a call to Richard Belletier to increase these BR/F #'s. Are they starting out and changing over? **Takara Hamilton:** North and South started out with 0 and was reminded to add Boston residents and females. Universal started with 20 workers and 2 Boston residents. Aldon Electric started with a female and moved to 7 Inc, also a Cranshaw project. **Commissioner Cofield:** Commissioner Broomstein has a relationship with Aldon, perhaps she can be instrumental in connecting with them. Is Marguerite complete? **Jason:** 85% done (side concrete). **Takara Hamilton:** Same people have been on for last couple of weeks. 37.9%POC, 4.8%F, 30%BR. **Commissioner Cofield:** Build-A-Life, Building Pathways, YouthBuild – no reason why these female and resident numbers shouldn't be met. Hoping your relationship with these companies can make that happen. **Takara:** Trying. **Commissioner Broomstein:** I will reach out to Aldon Electric. There's a female there now (name), she's a 3 year apprentice and a Boston resident. **Commissioner Cofield:** This project is sited to be completed in March 2021? **Answer:** April 2021. **Commissioner Everett:** Low numbers are mainly Boston residents and Females. Was that an issue before COVID19? We tend to talk when it's too late to fix. Derenzo has been the example of this through several reviews in the past and today. Has remote schooling impacted women in the workforce? Just curious if it's lack of childcare or lack of communication or both. **Commissioner Cofield:** There's a program that's getting ready to start for childcare for workers, perhaps Mary Vogel or Celina can speak to that. The red flag should always go up with companies that have history of not meeting all the goals. Because we bring minorities from outside the city People of Color numbers are up.

Public:

Mary Vogel (Building Pathways): There's a coalition of community and labor groups spearheaded by Labor United. Care that Works Campaign and primarily for Building Trades workers (women and men) – planning to launch at the end of the month. Should pilot 4/5 providers/families – primarily Boston with expectation to expand outside Boston. Huge issue – both before COVID and now. **Commissioner Everett:** I wasn't leaving the men out

and was speaking to the data in regards to women. **Commissioner Cofield:** As a single father, I can relate. Thank you and see you at the next review.

B. Elizabeth Stone House

Duration: 30 mins.

Present: Maryann Chaisson (Elizabeth Stone House), Gabby Geller (Women Institute on Housing Economic Development), Seth Aronson (Dellbrook JKS), Tina Gottron (Dellbrook JKS), Beverly Estes-Smargiassi (DND), Robert Woodson (BRJP Monitor)

Project Overview:

Robert Woodson (BRJP Monitor): Project is 80% complete with 2 months remaining. April 2019 – August 2020. **60,832 wkhrs, 19%BR, 68%POC, 3%F. 22 of 55 (43%)** Boston residents remain unverified. Payments are on hold for the following subcontractors: Boston Roofing, Bridgeline, NE Fire Systems, and Viking Controls. I appreciate the hardwork of Dellbrook and specifically Tina Gottron. **Commissioner Cofield:** Is there a way to fix with 2 months remaining on the job (Mid-November completion date)? Dellbrook has a lot of bad numbers. Boston Resident Verification could be corrected with fines and sanctions immediately? **Robert:** GC has 30-day period to correct. If not corrected within that time, then we can proceed with sanctioning process. **Commissioner Cofield:** Not understanding how the job is 80% complete and there are so many unverified residents. **Tina Gottron (Dellbrook JKS):** There were a lot of duplicates and it was a matter of cleanup. **Commissioner Cofield:** Who's on site? **Seth Aronson (Dellbrook JKS):** Paglia – ramping down (Tapers and Finishers – 2 females, True Brothers – Completed, Reform Masonry – ramping down over next 2 weeks, One Way Development – Ongoing work - 0 Females and have spoken with them a number of times. JRF – Near complete (sidewalk prep/finishing) minimal work. No female plumbers. **Commissioner Cofield:** Given what Elizabeth Stonehouse is all about, has anyone been brought in from the neighborhood for a career? **Maryann Chaisson (Elizabeth Stone House):** Yes, one of the current residents was brought on by one of the contractors. **Commissioner Cofield: Only 1?** **Maryann:** At the start of the construction, we held a job fair and put word out all around the city. A number of people came and applied from different trades. **Seth:** I took this project over from another individual from our office. **Commissioner Cofield:** Looks like they left you a mess. **Seth:** It's ok. **Commissioner Cofield:** Mr. Woodson, how are we feeling about the finishing? **Robert:** Obviously, we would have liked this to end better with the Boston residents and Female categories. In today's climate, it is important to consider if it is advantageous to take someone from another project. Dellbrook has been working in conjunction with Katrina Conrad to diversify its workforce. **Commissioner Cofield:** These numbers didn't happen overnight. How has Corrective Action Meeting schedule gone? **Robert:** As you can see, there are a number of contractors who have payments withheld as a result of non-compliance. **Commissioner Cofield:** I'm disappointed in what I see and that there's no room to correct with 2 months remaining. Dellbrook's core crew doesn't match the BRJP program and that's who will be used to complete the work.

Public:

Priscilla Flint-Banks (BEJI): This project is in Roxbury. The Determination Rubric says all Boston residents should be verified within 5 days. It makes no sense this project is 80% complete and no compliance. How does this happen? **Commissioner Cofield:** This is a disgusting job to look at. Numbers and compliance are horrible. **Robert:** There's a 30-day period for contractors to remedy outstanding Boston resident verifications and after that, if not rectified, sanctioning can be pursued. **Commissioner Cofield:** DND, looking at the history of a GC, why would a contractor still be on a list if they're not in compliance? This Board is about Boston Residents and Females getting jobs. The People of Color numbers are being met (with people from outside of the city). **Beverly (DND):** We'll take this back to DND and definitely talk about the troubling numbers before the next funding round with Developers and new projects. We want to make sure Dellbrook shows they are working with the subs more in line with what the City of Boston wants. If they turn things around, we will continue to work with them. **Commissioner Cofield:** I know Dellbrook has a few other jobs breaking ground in the city. This one is not a good look for the City of Boston or Boston residents struggling to get off unemployment.

Public:

Barry Keady (Plumbers – Local 12): Who's doing the plumbing? **Seth:** Cunningham Plumbing and Heating. **Barry:** They have never employed a female to my knowledge (Historically). I could have a Boston resident female there

tomorrow. I could have 3 tomorrow. We have people available. **Seth:** I understand your point and will bring that back to Cunningham. I was not a part of the buying process. I realize that's not an excuse for this hearing.

Anonymous: Project should have daily monitoring to ensure that verifications can be done more swiftly rather than relying on monthly reports. **Commissioner Cofield:** I've addressed that with the BRJP monitor, Mr. Woodson and agree this should have been looked into more closely. **Priscilla Flint-Banks (BEJI):** Is this project Union or Non-union? **Answer:** All contractors on-site were non-union. **Commissioner Cofield:** Thank you everyone for coming. Commissioner Watson will rejoin.

C. Callender, Woodrow Neighborhood Homes

Duration: 27 mins.

Present: Jay Russo (Boston Commons Solution), Donna Caron (Diverse Marketing Concepts), Rikki Carlson (DF Pray), Patrick Landry (DF Pray), John Feuerbach (DND), Joseph Backer (DND), Robert Woodson (BRJP Monitor)

Project Overview: 15,201 wkhrs, 31%BR, 62%POC, 4%F

Robert Woodson (BRJP Monitor): Reviews Highlights and Concerns. **Commissioner Watson:** What does the 5th bullet of 7 compliance mean (**Providing communications/confirmations – in compliance**)? **Robert:** This pertains to Best Faith Efforts such as workforce diversity or other correspondence explaining outreach to reach goals. There is no up-to-date information on file. **Commissioner Watson:** Would anyone from the team want to share information at this time? **Donna Carron (Diverse Marketing Concepts):** The project is made up of 22 individual properties and is reviewed on an individual - by property basis. Although we are a \$15M contract it is an individual \$300,000 – 600,000 contract. **Commissioner Watson:** That's relevant information, thank you. **Rikki Carlson (DF Pray):** There are subcontractors that weren't notified properly of the requirements under the prior PM. Some are off the project now. We are working diligently to correct the issues we have been having. DF Pray has created a new Workforce Project Manager position, which I will be taking on. We made a donation to Madison Park to work with their trades program and get any Boston residents we come across. Katrina Conrad (Madison Park Development Corporations) is helping us with this matter. **Commissioner Watson:** Taking a step back and looking holistically - in context of the work DF Pray has done, Hearth at Four Corners (another DND awarded project with DF Pray – 19%BR, 53%POC, 4%F) which came before the BEC 2 months ago, and looking at the most recent update it's still out of compliance - Payroll and Boston resident verifications still delinquent. Slightly better with residents in overall numbers, 4% Women. 2 projects spaced over time and 2 sanctionable items grossly delinquent. Of the 16 contractors, 6 zero Boston residents, 2 zero People of color, 11 zero females. Completely unacceptable. I implore DND to consider taking a break from utilizing DF Pray on City projects. Being delinquent in 1 or more categories on consecutive projects is a huge red flag and it doesn't appear DF Pray shares the concern to meet the BRJP requirements to maximize the categories of BR, POC, F or have a firm enough grasp to roll out and execute on the standards under the new ordinance. My expectation was that we would be voting on sanctions. The GC has 30-days to rectify late Payrolls, however, Boston Resident Verifications if you do not reach the 90% threshold could be sanctioned outright. I would like to see the BRJP staff use the tools to hold contractors accountable. While the donation to Madison Park Development Corporation is nice, it doesn't address these deficiencies in some of the hiring practices. My expectation is that the Commission should be seeing recommendations for both Calendar and Hearth at Four Corners, for sanctions to vote on.

Commissioner Cofield: How many sites are operating at 1 time? **Donna:** Most are single or duplex, operating at 4 at a time. Throughout the duration no more than 4 being built. When we first started – 6, next phase 3, now moving to a third phase, 4 under construction. **John Feuerbach (DND):** Donna, given this is a scattered site project, let Commissioner Watson know your ability to isolate different phases and double your efforts. **Donna:** The former Project manager didn't take the seriousness and reporting aspect, when that was made aware he was let go. We brought on people who could help. Rikki Carlson is now the head of handling the reporting and making sure DF Pray is achieving the numbers moving forward. We are bringing on people who have prior BRJP experience. **Commissioner Cofield:** If you're not using Contractors from the city, Projects that are in this single home model, you will not reach the numbers. They don't structure their workforce in that manner. **Commissioner Watson:** I try to be reasonable and fair and the Commission could not have been clearer regarding the Hearth at four Corners. To make that mistake after being addressed two months ago, to me seems it doesn't matter to you. **Rikki:** One second tier subcontractor put us under review. Other than that, all payrolls are submitted on time. We don't have a way to get the verifications if they're not on the job anymore. What do you recommend we do in terms of verifications? A lot of these verifications are older. We have tried to fix by changing subcontractors. **Robert:** Workers residency is verified on project by project basis. **Commissioner Watson:** The sanction process

starts with monitor, BRJP, OED, BEC. There's an opportunity for Commission to use discretion, we want to create jobs, for Boston Residents, People of Color and Women. Essentially our tool is sanctions which doesn't create jobs, however, it heightens the situation to a GC that we are taking this seriously and it needs to be addressed.

Public:

Mary Vogel: Project almost done and numbers for women are deplorable, DND should be on top of this.

Anonymous: DF Pray has more than 1 city project. What is action plan in one of 3 goals? Are we to assume this will be mirrored across the city on the other jobs they have in the city? Recommend a 3-ring binder of Boston Resident Verifications be kept on-site. **Rikki:** Project completion is 60% - we have time to correct (end of next year completion). I do like recommendation of 3 ring binder for BRV forms on site. **Commissioner Watson:** Not sure where this leaves us. 2 consecutive projects, 2 out of 7 non-compliance. Let's have a conversation. If Hearth at Four Corners has been rectified, give the Commission an update. Celina, if we can add a category of Non-Compliance to the enforcement of 7 compliance efforts that would be helpful. **Non-compliance – monitor did due diligence – notified GC of offense - 30 day period expired, Under review – red flag - monitor doing a deeper dive – 30 day period allowance to rectify.** Next steps, we will talk internally with BRJP monitors and leadership. We have to figure out a way for the Commission to work with City allies who have strong understanding of BRJP program and 7 compliance efforts and have strong relationship with community partners. Hopefully things will turn around. Robert is one of the best monitors in the business and hoping that with Rikki coming on things will change. Thank you for your time.

IV. DIRECTOR'S REPORT:

Duration: 9 mins.

Celina Barrios-Millner (Equity and Inclusion Director):

- Extend welcome to our new Commissioner Carlos Espinoza-Torro with us today, and 1 returning, Commissioner Stephanie Everett. There are 2 Commissioners that could not be with us today, Dr. Aisha Francis, Benjamin Franklin Institute of Technology and JC Burton of Mavis Construction. We expect to have them with us at next month's BEC.
- Scheduling a BEC Commissioner Orientation, Kim will be sending out email to coordinate soon.
- Tools of the Trade – New CSL Exam Prep starts 10/28/20. We urge you to send any folks our way that you think could benefit. City provides some scholarships to cover cost of books.

That ends the Director's Report.

Commissioner Watson: Is there any way we can have an internal conversation? **Celina:** There's still a few attendees and it's public until meeting is closed. **Commissioner Watson:** Ok. I would like more clarification around sanctions. It's getting confusing to me. 4 separate documents talk about power of the Commission in different ways. City of Boston Municipal Code (2017 BRJP Ordinance PDF) - 7 Rubric seems to be a different track. Need legal assistance on this. The contractors need a different approach to be in compliance because the way we have been communicating is not changing the bad actors. I'm getting frustrated that I'm seeing a lot of sanctionable projects and we're not doing anything. Not being an employee of the city, I don't do politics. I'm in a precarious spot right now without clear directions. **Celina:** We will have legal counsel at the BEC Training/Orientation. In interest of clarification, there have been different challenges with trying to enforce the ordinance. It is a priority for us. I would be careful to say the lack of sanctions is politics or political. We strive to be equitable and apply rules uniformly with proper guidance and communications to those impacted. Our role as public servants is to do legally and fairly. If any clumsiness, it's not having the proper tools at the time the ordinance was passed. **Commissioner Watson:** Perhaps that was the wrong language to use. I hear you. This has been going on for a long time. I'm getting pressure from all sides and I don't feel the power as a Commission is supported by the city. Just to be clear.

Director's report accepted.

Hearing adjourned at 3:59 pm.