

Boston Employment Commission

Regular Meeting Minutes

A regular meeting of the Boston Employment Commission (**BEC**) was held on Wednesday, April 18, 2018 at 1 City Hall Plaza, Conference Room 801, Boston, MA 02201.

Commissioners Present:

Chair, Commissioner Travis Watson, Commissioner Deborah Wright, and Commissioner Jorge Martinez.

Meeting Begins: 3:00PM

I. MEETING MINUTES

Commissioner Watson called the meeting to order and requested a correction on Massachusetts Housing Investment Corporation, not Mass Housing Impact Corporation. **February 21, 2018 minutes were accepted and approved.**

II. SPECIAL PRESENTATIONS

A. Burbank Gardens (subject to New Ordinance)

Duration: 10mins.

Present: Sam LaTronica (Fenway CDC), Ben Joyce (Landmark Structures) and Robert Woodson (BRJP Monitor)

Project Overview

Property was acquired last April 2017, closed in January 2018. Burbank Gardens located at 31 Burbank St. in the Fenway neighborhood, will be a 4 story, 52-unit building comprised of mixed-income housing.

Commissioner Watson: please ensure that you reach out to Robert Woodson on this project regarding the new ordinance and the process.

Sam LaTronica (Fenway CDC): Fenway CDC and Landmark Structures have a good working relationship and will try to do due diligence. Project is in its early stage and enforcement of the new ordinance will apply with timely payroll submissions and this is our way of tracking compliance. There will be a learning curve going from bi-weekly to weekly payroll reporting.

B. Dudley Branch Library Renovations (subject to New Ordinance)

Duration: 25mins.

Present: Jeff Hazelton (CTA Construction), John Andrea (CTA Construction), Beh Bentson (Utile Design, Inc.), James McGaffigan (COB,) and Claudette Austin (BRJP Monitor)

Project Overview

Scope of work includes complete renovations of the existing 27,000+/- sqft library located at 64 Warren St., Roxbury, MA 02119.

Beh Bentson (Utile Design, Inc.): This building was built in 1978. Now we are living in different times and we redesigned the building to a friendlier one, with a new face/entrance, concrete frame and light wood, new high glass windows. Improving the Main reading room, wood ceiling, new lights and clear glass with curb wall with new bookshelves.

Commissioner Watson: Is CTA familiar with the new Ordinance? We are a resource, stay in contact with Claudette Austin, thank you for providing the initial contractor list, be sure that sub-contractors are clear on new Ordinance language. Use *Best Practice* in outreach to women, research sub-contractor's BRJP history, and verify Boston Residents the first time they come on site. This is a municipal project and you are encouraged to keep the standards of Boston residents, people of color and women.

Claudette Austin: This is CTA's first BRJP project. 10 subs attended Pre-Cons to date. The majority are repeat contractors. CTA will need to track their subs closely to ensure reporting is kept up to date and substantive compliance efforts are made.

Public Comment:

Kim Janey (Boston City Councilor): Sad to see that library is closed, happy to see a new one coming, preliminary numbers at 270 work hours - 15%R, 0%POC, 0%F. 4 out of 15 sub-contractors are Boston based. How many subcontractors are MWVBEs? **To be updated at next BEC review.** What's your outreach plan to Roxbury residents? **Reply:** Dudleyjobs.com website, Project Site Employment Applications are available on site, Advertise in local publication - Boston Bulletin – We are open to publish in the Banner. How will you keep the site clean?

Reply: We understand the sensitivity of this issue and will address daily.

Susan Moia (PGTI) - Research study we completed several years ago showed that women are hired at a lower level including by WBEs.

Janet Jones (Boston Jobs Coalition) - Now is the time to start hiring and keep the %. Take the requirements seriously and talk to all sub-contractors.

III. PROJECT REVIEWS

A. Vine Street Community Center Renovations

Duration: 45mins.

Present: Michael Cresta (BC Construction), Deana Sprague (BC Construction), Joaquin Robles (Patrick J. Kennedy) Mark Cacciola (Davison Company), Douglas D. Mason (Brite Lite Electric), Vincent Buonom (Brite Lite Electric), Roberson Castor (COB –PFD) and Claudette Austin (BRJP Monitor)

Project Overview:

Current Overall # - 5,449 wkhrs, 10% R, 6%POC, 0%F
Performance for BC Construction (GC) at 0% in all categories

Commissioner Watson: At 50% Complete -Corrective Action Meetings held & numbers still low. Working in neighborhood where 54% of residents make less than 24K a year. As of 1/18 project was at 0% POC with no outreach to the Jobs Bank. BC took time to write a letter, it's dated 1/21/18 (see letter and be self-reflected). BC employed only 11 individuals, and out of the 500 Jobs Bank candidates someone has to be qualified, the resources are there. It was a business decision that you took on this contract. I wholeheartedly disagree with the letter. We will take all action to consider whether we do future business with BC. Not sure if we have authority to withhold payment particular to the subcontractors.

Claudette Austin: In an effort to get contractors to confirm and attend 4/13/18 corrective action meeting, BRJP recommended that PFD withhold payment #4, which they did.

BC Construction: We are non-union, but two weeks ago we reached out to union hall trying to get residents, still working on this. I am also trying to find a female to come on-board. The job is more than 50% over and this is a relatively small job. I have no problem training people.

PJ Kennedy (2%R, 0%POC, 0%F) this is a small contract for us and it doesn't require a large crew. For the remainder of the job we are shuffling folks from other work sites to try and improve numbers.

Davison Company (20%R, 5%POC, 0%F) we need to do better - talking to John Dunham/Jobs Bank. **Commissioner Watson** appreciated company's willingness to admit they need to do better.

Brite Lite (18%R, 19%POC, 0%F) also admitted they need to do better – non-union – going forward they expect to have crew of 2 (1 foreman and 1 other worker) – As of 4/13/18 corrective action meeting with BRJP - reached out to Jobs Bank, Youth Build Boston, Building Pathways and Madison Park Vocational HS and waiting to hear back.

Commissioner Watson: You are definitely connecting with the appropriate people.

Karilyn Crockett: Can we hear from PFD project manager? Have there been moments that payments have been withheld?

Roberson Castor (PFD PM): (Yes) earlier this month we held a payment as Claudette stated, in an effort to get contractors to confirm/attend a scheduled corrective action meeting. Aware of and have followed up on these issues at weekly job meetings – have discussed the corrective action with BC and will be tracking, and giving them directions - remaining scope of work now until completion in October 2018 will be the finish work.

Public Comments:

Kim Janey (Boston City Councilor District 7): Deeply concerned in terms of diversity, women, and I stand with the Commission and suggest that payment be withheld.

Susan Moia (PGTI): Suggests that contractors need to research and do best practices and fully understand what this Ordinance is about.

Janet Jones (Boston Jobs Coalition): Never seen such bad statistics, this is not going forward on my tax dollars and I will be calling the Mayor's office.

Commissioner Wright: What has occurred to me is the reactionary nature to what has happened here. When did you start working on your efforts? You know that you have to do this when you take the job. Still, does it kick in when you get a phone call, or does it start when you get the job? What are you doing to be proactive; how are you setting the standards? 50% complete, it would be great to get the zeros erased.

Commission's summary:

To BC and Subs - show up for scheduled meetings - reach out to Jobs Bank. Additionally, we leave it up to BRJP Office to decide if it's beneficial for BC to attend bi-weekly meeting for duration of construction.

B. Harvard Science Engineering Complex

Duration: 20mins.

Present: Joe O'farrell (Harvard), Amanda DiLande (Turner), Justin Lyons (Turner), Alyssa Hubbard (Harvard), Ronaldo Cheek (Diversity Development), Pamela Ruffo (BRJP Monitor)

Project Overview:

Current overall #s – 359,415 wkhrs, 36%R, 37%POC, 9%F

Commissioner Watson: This review should have been first, as you are leading by example and others would have seen how it is done, thank you! Things to point out—7 day payroll submission time, 95% resident verification, Turners self-performing numbers 54%R, 42%POC, 13%F. We encourage Turner to start documenting best practices so it can be shared with other contractors. Based on Turners past work history they do not need to return for the 50% review.

Commissioner Wright: Ronaldo Cheek - could you speak to your role and share from your fact sheet. **Ronaldo:** Harvard University has a compliance policy, this is evident in the Harvard Careers in Construction Program (HCCP).

Pamela Ruffo: BRJP's goals are for true partnership with the developers, general contractors, and unions to create jobs, with everyone working together great things will happen.

Commissioner Watson: Any MBEs and WBEs? **Reply:** *AAXIOM Concrete, Aztec Steel, and Kerr Welding.*

Note: Turner provided corrective action letters for H. Carr, Chapman Waterproofing, S&F Concrete and Fred Salvucci during the meeting, which were not part of the original report.

Public Comments:

Susan Moia (PGTI): Turner is a leader in the industry - Maureen Kirkpatrick and Alison Stanton (Turner) have participated since inception of PGTI. They have written the best practices and integrated it into Turner's best practices. Check Policy Group on Tradeswomen Issues on line. 6.9% is the standard for women, and Turner exceeded the standard and is the leader in the industry along with India.

C. Boston College Recreation Center

Duration: 10mins.

Present: Jeanne Levesque (Boston College), Jean Lotin (SKANSKA), Rob Mulligan (SKANSKA) and Manual Barbosa (BRJP Monitor)

Project Overview:

Current overall #s – 88,694 wkhrs, 28%R, 26%POC, 5%F

98% resident verification. With the most hours worked the Laborers trade for Boston Residency is at 22%.

Commissioner Watson: Is New England Foundation Company (NEFC) still on the project? Jeanne did you read their letter? I was extremely offended and surprised it was written by a woman - *“Given the rugged nature of our work, the only position that can be safely performed by a woman is oiler”*. I was hoping they were here today, and I plan to follow-up on this. Payroll submission is good. I was really happy TG Gallagher hired people from Building Pathways. Derenzo at 9%F - not sure how this happened, but it shows tremendous growth.

Public Comment:

Susan Moia (PGTI): The category of Oiler no longer exist, technology changed that back in the 90's. Would like to see a reply to NEFC that addresses this.

Commissioner's Request: Ask New England Foundation Company (NEFC) to explain their letter. If the Oiler trade no longer exist - what is the trade the women actually performed on the project?

D. Coppersmith Village Phase II

Duration: 25mins.

Commissioner Watson recused himself - Mass Housing Investment Corporation is helping to finance this project. (MHIC is Commissioner Watson's employer)

Present: Joe Cavallaro (TOCCI), Josh Kasten (NOAH CDC) and Robert Woodson (BRJP Monitor)

Project Overview:

Current overall #s: 44,299 wkhrs, 17%R, 67%POC, 3%F.

Overall Boston Resident and Female percentages fall well below the goals. Payroll submission average 12 days.

Resident verification is at 42%.

Commissioner Martinez: Project is 14 months in - 50% complete as of March 2018.

National Framers (0%R, 4%F), Lawton Welding (7%R, 7%POC, 4%F). What are you doing to improve performance?

Joe Cavallaro (Tocci): Difficult project (soil classification problems), multiple phases - provided BRJP Ordinance to subs - had Pre-mobilization meeting to educate contractors on BRJP, and taken out ads.

Turnkey and Lawton Welding have been taken off this project and currently off Tocci's bidder list for Boston jobs.

Tocci withheld payment from Turnkey in January partly due to non-compliance.

Commission Martinez: Previous stated information should be documented and forwarded to Robert Woodson, almost at 50% complete, best faith efforts have not been met. Currently you have 3 jobs with DND. Two are being monitored by BRJP - Low numbers for bricklayers and Iron workers, you're looking for some additional labor sources. What other things are on-going to bring up your numbers?

Reply: Boston Jobs Bank list, brought on an Assistant, and will be running ads for all projects for Boston Residents and People of color.

Commissioner Wright: Transfer of jobs and contracts, where is this being built, are you hiring locally? (East Boston). Are there any improvements and are the new people going to be working in the next phase, what are you seeing, or what will you do better and with what improvements?

Reply: Masons and Framers are difficult and this happened 6 months ago. There are only two people on the job and I can't fire them - I will try to work it out.

Commissioner Martinez: What are you projecting in numbers? **Robert:** There are no projections.

Reply: Difficult attracting non-Union folks. We have partners on the ground where we pull our jobs from and we are meeting the criteria according to the specs.

Commissioner's request: Would like projection numbers and would like to see correspondence from Tocci and response to this request.

IV. DIRECTOR'S REPORT:

Duration: 10mins.

Chris Brown: Chris presented the projects subject to the New Ordinance (about 19) *handout provided*.

Commissioner Watson: Are we looking to sanction all at once or each quarter? **Chris:** Recommendations for fines will be immediate and submitted to the Commission at next BEC meeting.

Director's report accepted and approved.

Meeting adjourned at 5:40pm