

Boston Employment Commission Hearing Minutes

A monthly hearing of the Boston Employment Commission (**BEC**) was held virtually on Zoom, March 17, 2021.

Commissioners Present: Commissioner Travis Watson, Commissioner Kenell Broomstein, Commissioner Carlos Espinoza-Toro, Commissioner Charles Cofield, Commissioner JocCole “JC” Burton and Commissioner Aisha Francis.

Hearing Begins: 1:00 PM

I. MINUTES

March 17, 2021 minutes approved and accepted - motioned to accept by Commissioner Broomstein, 2nd by Commissioner Burton and all approved (Commissioners Watson, Burton, Broomstein, Espinoza-Toro, Cofield and Francis).

II. SPECIAL PRESENTATION

A. Kenmore-Beacon

Duration 21 mins.

Present: Michael Morrow (Related Beal), Kellie Thompson (Commodore Builders), Paul Maneen (Commodore Builders), William Dickerson III (BRJP Monitor)

Project Overview:

Commissioner Watson: Teams understanding of BRJP goals and their strategy to meet them? **Michael Morrow (Related Beal)** – Project description and renderings (PowerPoint Presentation). **Paul Maneen (Commodore Builders)** – **Construction Schedule: 2021** – Q1/Demolition & Sitework, Q2/Sitework, Foundations & Concrete, Q3/Structure & Façade, Q4/Façade & MEP; **2022** – Q1/MEP Finishes & Interior, Q2/Landscaping & Interior Finishes, Q3/Inspections, Testing & Occupancy. **Buyout/Awarded Subcontractors** – HUB Foundation, Select Demolition, Welch Corporation, Sunrise Erectors, Trimax Structural Steel, New Hampshire Steel Fabricators, and Manafort Precision. **Kellie Thompson (Commodore Builders)** – BRJP compliance process - sends job applications to subcontractors for them to forward to unions. BRJP goals are listed in subcontracts and compliance hold will stop payment for insufficient Best Faith Efforts. Will reach out to Building Pathways regarding apprenticeship program and reached out to the Pile Drivers union for the same. **Commissioner Cofield:** The outreach needs to go to the Business Agents in the union halls not Building Pathways. Pre-apprenticeship brings in new members and the Business Agents should be included in that. **Michael Morrow:** That’s good advice and we do ask our subs what type of relationship they have with the BAs in various trades. **Commissioner Burton:** Regarding your ability to meet goals, you mention M/WBEs concerning interior finishes. Are you limiting subcontractors or is this based on the database you have? **Paul Maneen:** We are reaching out to every subcontractor we have. This is based off current database. If there are any other sources we can have access to, we will expand. **Commissioner Burton:** Is the relationship between Related Beal and Commodore Builders Joint Venture? **Michael Morrow:** It is contractual. Related Beal is ECM/ Executive Construction Mgr. and Commodore Builders is CM/Construction Mgr. We are one team that holds each other accountable. **Commissioner Watson:** I strongly recommend you use the best practice of looking at past performance on BRJP projects of any subcontractors you hire. Get their workforce plan from day one and hold them accountable. Withhold payment if necessary.

Public:

Mary Malyzek (BEJI): Do you know anything about their compliance history? We see names, but we don’t see numbers. **Michael Morrow:** Your comments are valid. We have 2 subs on site at this time and are going through buyout phase with all MEPs. We do ask for that information. We ask for references from other GC’s.

Commissioner Watson: I believe the GCs you are speaking of are majority GCs and we have a robust population of

MBE GC's that BRJP can connect you with. **Commissioner Burton:** Had similar feedback as Commissioner Watson. **Michael Morrow:** Always willing to learn. **Commissioner Watson:** Mike, we appreciate you as a senior person from your organization being present today and it shows your company takes this seriously. **Public participant:** What are the current BRJP numbers? Celina will follow-up on that question. **Gabriel:** Can the organization disclose diversity metrics? **Commissioner Watson:** Which organizations are you referring to? We will follow-up on this question.

B. Lenox Apartments I & II

Duration: 15 mins

Present: Dakota Jones (InOrder Business Development), Gina Martinez (Beacon Communities LLC), Dan Bearce (DF Pray), Rikki Carlson (DF Pray), Patricia Mariagioglio (BRJP Monitor)

Project Overview:

Dan Bearce (DF Pray): The project is underway with phase redevelopment (PowerPoint Presentation). Estimated completion date is August 2023. Project is 80% bought out (21%MBE, 8%WBE, 1%VBE). **Rikki Carlson (DF Pray):** Collaborated with local community agencies (Madison Park Development Corp, Launch, Youth Build and Building Pathways). Outreach through advertisement in the Boston Banner, flyers to community organizations, participation in virtual jobs fairs, onsite information booths for residents and onsite job fairs with subcontractor/union representation. **Dakota Jones (InOrder Business):** InOrder Business assist in compliance.

Takara Construction is the largest subcontractor on the project (MBE Union Carpentry) and has performed ½ trades peoples' hours on site (51%BR, 80%POC, 11%F). Their numbers are trending in the right direction and we anticipate the females number increasing. The overall project numbers are estimated at 30%BR, 70%POC, 7-8%F.

Commissioner Watson: Tara Construction didn't have the best presentation some months ago. Pedro took accountability and reached out for help. It's nice to see this transformation. **Commissioner Cofield:** For the most part, contractors want to do right. In regards to the residents at Lenox Street, are you required to hire from the complex? **Dakota:** Yes, Commissioner, this is a Section 3 (BHA) project. We have posted flyers in the BHA developments and have held job fairs onsite. **Commissioner Cofield:** Have you hired any residents? We can help. **Dakota:** We coordinated an interview for a resident for a demo sub within the last week or two. I don't know the outcome of that interview. We appreciate any assistance you offer. **Commissioner Cofield:** We don't want to only fill labor positions. We want to fill carpentry, electrical, plumbing, etc. as well. **Shelley Webster (InOrder Business):** We will look to circle back and inform union Business Agents about the job fair for April 7th.

We welcome them to participate/collaborate with DF Pray and the InOrder team. **Commissioner Watson:** I believe DF Pray came before the BEC this past summer on the Hearth at Four Corner's project with 19%BR and 4% POC. It was a tough conversation the BEC had with the DF Pray team. **Commissioner Cofield:** Commissioner Watson, I believe it was the Woodrow Ave scattered sites project. **Commissioner Watson:** Whichever project it was, it's nice to see you've implemented one of the best practices to increase success in workforce development by hiring InOrder Business. It's not often that folks follow through when they say they will do better. I want to acknowledge your efforts. **Commissioner Burton:** Let's track this project as a methodology for best practices in light of the numbers Dakota mentioned (including the Section 3 residents) as a model project to watch meet the goals. **Dakota:** Thank you Commissioner. We look forward to future presentation.

Commissioner Watson: I believe DF Pray came before the BEC this past summer on the Hearth at Four Corner's project with 19%BR and 4% POC. It was a tough conversation the BEC had with the DF Pray team. **Commissioner Cofield:** Commissioner Watson, I believe it was the Woodrow Ave scattered sites project. **Commissioner Watson:** Whichever project it was, it's nice to see you've implemented one of the best practices to increase success in workforce development by hiring InOrder Business. It's not often that folks follow through when they say they will do better. I want to acknowledge your efforts. **Commissioner Burton:** Let's track this project as a methodology for best practices in light of the numbers Dakota mentioned (including the Section 3 residents) as a model project to watch meet the goals. **Dakota:** Thank you Commissioner. We look forward to future presentation.

Dakota: Thank you Commissioner. We look forward to future presentation.

III. PROJECT REVIEWS

A. 105 West First Street

Duration: 20 mins.

Present: Tim Stoll (Breakthrough Properties), KaceyAnn Satchell (Consigli), Alex Carr (Consigli), Pamela Ruffo (BRJP Monitor)

Project Overview:

56,793 Wkhrs, 22% BR, 28% POC, 4% F

This project is 45% complete and currently the Boston residents verification is at 90%. **Commissioner Cofield:** I had a good conversation with Steve and William Allison of Consigli regarding Coop work and bringing in new people. I'm pretty confident they will be in pretty good shape. **Commissioner Burton:** What's the Construction Schedule? **Alex Carr (Consigli):** Estimated completion date is 1/2022. Currently steel is being erected through the

8th floor. 60,000 man hours of 155,000 has been performed. Upcoming labor force anticipating putting up big numbers - Curtain Wall, MEPs, Riggs labor through the Summer. **Commissioner Watson:** How many subcontractors are out of compliance due to situations beyond their control as opposed to lack of effort? **Kacey Ann Satchell (Consigli):** A little of both. This is a unique project in that the work has been spotty (inconsistent). When I see subs leaning towards crew members and not bringing on additional workforce to comply, I'm on it right away. Daniel Koury has made several outreach attempts to Local 7 (Ironworkers). We are also, making a concerted effort to establish relationships outside of the unions, ie: Madison and the BASE. We are focusing on pipeline to bolster unions. **Commissioner Watson:** I appreciate your approach and thorough overview, Kacey. I'm inspired that the younger generation is building a racially gendered and inclusive workforce. **Kacey:** It's an opportune time. **Commissioner Cofield:** How much work does S&F have left? **Alex Carr:** 3 more slab placements. **Kacey:** Since their corrective action meeting, they have added 4 Boston residents (POC) and Riggs added a female (Hispanic) carpenter in February.

Public:

Barry Keady (Local 12/plumbers): I love seeing when plumbing contractors have the best numbers on the job. John Cannistraro is a solid partner. We have females to help do even better. **Mary Malyzek (BEJI):** Regarding the comment "man hours", the preferred terms are labor hours or staff hours. Language is important! **Barry Keady:** I texted Vinny Coyle (Local 7/Ironworkers) and he expressed that no one has contacted him to help meet goals. They do have people coming on in June (Females and Boston residents). **Kacey:** We have documentation from Local 7. **Commissioner Watson:** Can Consigli provide that information to the BEC/BRJP? In the meantime, expedite the process and reach out to Vinny Coyle.

B. Northeastern EXP

Duration: 21 mins.

Present: Jacqueline Valencia (Northeastern University), Catherine Walsh (Northeastern University), Ronaldo Cheek (Diversity Development), Brooke Woodson (Suffolk Construction), Denis Garriepy (Suffolk Construction), Lisa Kochilaris (Suffolk Construction), Shelley Webster (In Order Business Development Solutions) and Manuel Barbosa (BRJP Monitor)

Project Overview:

34,882 wkhrs, 23% BR, 34% POC, 6% F

Project is 14% complete and Boston residents verification is at 100%.

Northeastern EXP is undertaking several initiatives to utilize this Project as an opportunity to involve and enrich the impacted community and the City of Boston. These efforts include:

- Engaging YouthBuild to perform construction work on the Project.
- Construction support for a new YouthBuild training facility.
- Seeking participation on Madison Park Technical High School's Employer's Panel.
- Employment and training of a Madison Park Technical High School student.
- Community OSHA 10 Training.
- Expanding the "Walk-on" Applicant Referral Program

Commissioner Cofield: Is the Madison Park Program part of a Co-Op or Shadowing? **Ronaldo Cheeks (Diversity Development):** Northeastern has an ongoing program with Madison Park which is work related to software and operations. **Commissioner Watson:** In regards to numbers for Concrete Company and J.L. Marshall, what's the status? **Shelley Webster (InOrder Business):** We have called them in for a virtual meeting tomorrow and will ask for a plan. **Commission Cofield:** Would you have to call them to include me in the meeting? **Ronaldo:** It would be a courtesy to give them notification. **Catherine Walsh (Northeastern University):** Charlie is always welcome. **Shelley:** This is their first Corrective Action meeting. We ask subcontractors to invite their Business Agents. If we don't see improvement, we would invite you or the Business Agent, Raheem Shepherd. **Commissioner Cofield:** It would be to their advantage and yours to invite myself or Raheem. **Shelley:** I will follow up this afternoon. **Commissioner Burton:** Manny you mentioned the turnaround of Precision? **Manny:** It was Liberty. They have

taken great strides and have turned things around in their last 3 projects. They met the New Ordinance numbers at 60% BR, 50%POC and 17%F. **Brooke Woodson (Suffolk):** Liberty has rebranded themselves and is now named Fuse Group. **Commissioner Watson:** Melo? Impressive Resident and People of Color numbers. Regarding Commissioner Cofield comments on J. L. Marshall, I'd like to go on record to see if the BRJP Office will address holding individual firms repeatedly not meeting the goals. According to Section 3 of the Ordinance, Companies who perform in the City of Boston and are not able to meet the numbers are required to bring apprentices on their dime and to sponsor them into the unions. I strongly encourage this practice to be implemented. Informed data conversations to help with pipeline issue. **Shelley:** We have been working with Derenzo by introducing them to Mary Vogel (Building Pathways). I've received confirmation emails from the Director of Field Operations (Derenzo). Mass Laborers and Operators have recommended 3 women. **Commissioner Watson:** I'm encouraged that you are encouraged. Respectfully their numbers don't show this (177,000 wrkhrs, 19%BR, 17%POC,7%F). I appreciate the 3 women, but there would need to be tenfold to be meaningful. If you think they're trending in the right direction, I will accept your hopeful view. **Commissioner Cofield:** Can you repeat the new name for Liberty? **Brooke:** Fuse. **Ronaldo:** I'd like the report to reflect that we have 30% MBE, 10% WBE. **Commissioner Watson:** Thank you Ronaldo. It is important to recognize racial equity of businesses owned by People of Color, in addition to the racial equity of individuals.

Public:

C. New East Boston Police Station

Duration: 18 mins.

Present: Ken MacDonald (Public Facilities Dept.), Brian Melia (Public Facilities Dept.), Susan Goldman (J & J Contractors), Gomi Patel (J & J Contractors), Jon Braley (J & J Contractors), Lonnie Daniels (LH Daniels Associates) and Christopher Brown (BRJP Manager)

Project Overview:

39,791 Wkhrs, 29% BR, 29% POC, 8% F

Project is 60% complete and Boston residents verification is at 100%.

Christopher Brown (BRJP Manager): J&J Contractors (GC) has the most workhours thus far with 8,432 - 21% of the hours performed by women. Empire Masonry, Wayne Griffin & PJ Kennedy hasn't had women participation. The laborers (31%) and Ironworkers (20%) trades are greatly exceeding the women goal. Colony Drywall has good performance and will eventually move up in the top 5 workhours performed. **Susan Goldman (J&J Contractors):** In order to meet the goals, besides in-person Job-Fairs, Jon Braley attends monthly virtual Boston Construction Job Fairs. Resumes received are sent to appropriate subcontractors. Applications are on-site. Not many walk-ons. Few were referred. Mandatory Pre-Con meetings are held in advance of starting on-site. Pro-active approach with Corrective Action meetings before BRJP intervention is necessary. Several subs moved workers around to meet goals due to COVID/layoffs. Letters are sent to various Boston agencies and State-run agencies to find people with BRJP criteria. We encourage the subs to keep in mind the purpose of BRJP. When subs are not meeting the goals, we note that on return of their payrolls. We send letters, make phone calls and reach out to Lonnie. We recently sent letter to get response on the reasons for not meeting required goals. We received some responses.

Commissioner Watson: I'm very impressed with the numbers on this project given it's a File Sub Bid project. I understand the inherent disadvantage with that type of set-up. The Commission will not ding you for subs you had no control in choosing. **Commissioner Cofield:** Historically File Sub Bid jobs have problems meeting the numbers and their work hour history for the BRJP is usually at an all-time low. Continue to push forward to get what you can out of them. File Sub guidelines need to change in light of equity, inclusion and diversity necessary for local hiring. Is J&J mainly doing General Conditions? **Jon Braley:** Yes, we self-perform site work (75%-80% complete), general conditions and some miscellaneous carpentry. Overall project is 65% complete. **Commissioner Cofield:** With remaining subs and workhours, is there room for improvement? **Jon Braley:** Yes, we are expecting good numbers out of the finishing trades. **Susan:** We are meeting with the subs to review regulations and find out where we can help. **Commissioner Watson:** I commend J&J. It appears you have self-performed 4 projects in the City of Boston and while some are under the Old Ordinance, out of 23,000 work hours – 43%BR, 29%POC, 15%F. Originally File Sub Bid was to address taxpayer monies, however there are comprehensive studies that have shown it tends to cost more (change orders/misreads). **Commissioner Burton:** We will continue to have challenges with

women in this space, considering the impact of the pandemic. Just want to make sure we are paying attention and keeping a handle on avenues employing women.

Public:

IV. DIRECTOR'S REPORT:

Duration: 5 mins.

Celina Barrios-Millner (Chief of Equity and Inclusion): Thank you to everyone for being here and keeping us accountable to the mission of this office to get Boston residents, People of Color and Women working in Boston and in their communities. Our office is building capacity to further the work. We have a Full Time Salesforce Administrator joining our team this week. We have 2 new Construction Monitors which will give a total of 7, the largest since inception of the BRJP program. Andre Lima is the new Deputy Director. We are anticipating the Mayoral transition and soon to be Acting Mayor Kim Janey. The overall work of equity and inclusion is important to her and we have been working with her office regarding the transition of the administration. **Commissioner Cofield:** Who will be filling John Barros seat since he stepped down? **Celina:** Midori Morikowa is the Acting Chief of Economic Development. She was the former Director of Business Strategies. **Public participant:** When will BEC website be updated with Commission reports? The last update was September of 2020. Celina will follow-up with BPDA on that.

Commissioner Burton motioned to accept Director's report, Commissioner Cofield 2nd and all Commissioners approved (Commissioners Burton, Cofield, Watson, Broomstein, Espinoza-Toro and Francis).

Commission Watson: Ask for motion to adjourn. Commissioner Franced motioned – all Commissioner were in favor.

Meeting adjourned: 2:47