

Boston Employment Commission Hearing Minutes

A monthly hearing of the Boston Employment Commission (**BEC**) was held on Wednesday, May 15, 2019 at One City Hall Plaza, Conference Room 801, Boston, MA 02201.

Commissioners Present:

Commissioner Travis Watson, Commissioner Deborah Wright, Commissioner John Redd III, Commissioner Charles Cofield and Commissioner Jorge Martinez

Hearing Begins: 1:00 PM

I. MINUTES

April 17, 2019 minutes were accepted and approved.

II. SPECIAL PRESENTATIONS

A. 112 Shawmut Avenue

Duration: 7 mins.

Present: Chris Mora (The Davis Companies), Dante Angelucci (The Davis Companies), Pat Noone (The Davis Companies), Dara Frederick (Suffolk Construction), Brooke Woodson (Suffolk Construction), Ted Davenport (Suffolk Construction), Takara Hamilton (BPDA Monitor).

Project Overview

Chris Mora (The Davis Companies) shows rendering and reviews description of project. **Commissioner Watson** ask Suffolk team for the assessment of the projects beginning status. **Brooke Woodson (Suffolk Construction):** Compliance team is aware of importance to be in compliance. We anticipate walk-ons and have application box in place. I'm confident we will meet compliance. **Commissioner Watson** welcomed Dara Frederick's, Suffolk's new Trades Partner Diversity Officer. **Commissioner Cofield:** The Trade Partner schedule list handed out has questionable subcontractors. Liberty Drywall is one. Are there any community benefits on this job? **Ted Davenport (Suffolk Construction):** Some. We went through extensive process with BPDA, 142 Shawmut, Southend Baseball and IDP Housing Unit. Contribution towards development of affordable housing to the Chinese Consolidated Benevolent Association of New England (CCBA) and Boston Chinese Evangelical Church (BCEC). **Commissioner Wright:** Given history of some of the subcontractors, what are the different tools you will use on this project? **Brooke:** Meetings frequently and a number of things will be done. **Commissioner Wright:** Documentation of the process is necessary and we will expect that. **Commissioner Watson:** Keep watch on project and measure progress. See you at quarter review in November 2019.

B. New Balance Sports Complex

Duration 14 mins.

Present: Robert Graham (New Balance Development), Dan McGillicuddy (New Balance Development), Jamie Noone (JMA) and Pamela Ruffo (BRJP Monitor).

Project Overview

Robert Graham (New Balance Development) gave overview of project and stated, it's 4 acres on the corner of Life and Guest Street in Brighton, MA. Commissioner Watson asked Pam her assessment of initial conversation with JMA. **Pamela Ruffo (BRJP Monitor):** Kate is great to work with and very pro-active. The Kick-off was good. 2 subs, J. Derenzo and New England Foundation overall numbers 32%BR/32%POC/7%F - starting out good. **Commissioner**

Watson: JMA's compliance and documentation has been good. Are there concerns about traffic? **Robert Graham:** A traffic study was done in 2011/2012 that looked at numerous intersections. The new commuter rail station was built and paid for in partnership with Mass Dot to alleviate the traffic. Since the opening of station 5/2017 the ridership has been good. There was a variety of mitigation and a \$500,000 contribution to BPDA to make better connection with road and pedestrian improvements to Birmingham Pkwy. **Commissioner Watson** notes there were solid numbers early on. **Jamie Noon (JMA):** The companies are using union workers within the city for the trades needed on the track. **Commissioner Cofield:** Derenzo? **Pam:** Derenzo is struggling in residents. There are 7 equipment operators. Laborers are 1,316 out of 2,100 and out of 9 there are 2 residents, 2 people of color and 1 female. We will stay on top to increase labor force. **Commissioner Cofield:** Derenzo is not doing anything about their lack of diversity – Local 4. **Jamie:** Derenzo has an outreach commitment process and is working with the Mayor to get a program put in place. Operating Engineers are hard for us to support. **Commissioner Cofield:** Are they reaching out to the laborers? **Jamie:** They are reaching out across the trades. **Commissioner Cofield:** S&F is concrete company. Is Local 2168 laying the floor? **Jamie:** JMA has had great success with S&F Concrete and there will be multiple trades used.

Public:

Janet Jones (Boston Jobs Coalition): Moriarty may have the Dot Block project. We expect same focus.

C. Parcel G at North Station

Duration: 9 mins.

Present: Nicole LaBossiere (Divco West), Bill Wilbur (JMA) and Pamela Ruffo (BRJP Monitor).

Project Overview:

Nicole LaBossiere (Divco West): 49% of this project is located in Boston and 51% is located in Cambridge. Duration estimate is June 2019 – May 2021. **Commissioner Watson:** Does Cambridge have hiring ordinance on this project? **Pam Ruffo (BRJP Monitor):** During the kickoff, Karen stated there is no hiring requirement and in addition it is going to be challenging working two sides. **Commissioner Watson:** Yes, I know that it can be a problem with this type of set-up. **Pam:** Discussed with Karen and as you stated, they are the perfect team to do this job. Current numbers are 716 workhours, 32%BR, 44%POC, 0%F, 3 Equipment Operators, 1 Laborer, 6 Pile Drivers and A.A. Will is on multiple projects in the city which causes a hurdle for all. **Commissioner Cofield:** The divided set-up will have Carpenter Stewards discussing who's sending who -where. Regardless, we should live by what we're doing in Boston. We have faith in JMA's work ethic. I'd like to meet and bring Carpenter BAs together to meet the goals. There are 600 eligible potential carpenters waiting with acceptance letters. Getting these people out to work is what we're trying to do. They're not being given opportunity through contractors. We can't force, but GC can talk about exceeding goals. **Commissioner Watson:** See you for your quarterly review in Oct/Nov/Dec. 2019, depending on what the winter holds.

III. PROJECT REVIEWS

A. Boston City Hall HVAC Upgrade Phase I

Duration: 21 mins.

Present: Gregory Rideout (Public Facilities Department), Robert Lucey (J.F. White Contracting), Linda Sivieri (J.F. White Contracting) and Claudette Austin (BRJP Monitor).

Project Overview:

13,304 wkhrs, 17%BR, 35%POC, and 5%F

Commissioner Watson: File sub bid? **Gregory Rideout (Public Facilities Dept.):** J.F. White (GC) is also the filed-sub for electrical/mechanical trades.

Claudette gave overview. Update on verifications increased 63% to 75%. That leaves 2 unverified. 1 company (Titan Roofing) started without a pre-con and has a 14 day payroll submission time. **Commissioner Watson:** Seems like a frustrating project to oversee. Never ask someone to do something you're not doing yourself. This is a City of Boston project. We should be setting example. This can undermine the entire Commission. If I'm one of those

contractors, they would be right to look at the City and ask why aren't they doing what's required. I did a statistical analysis of 3 other PFD projects to see how they are trending (Boston Arts Academy, Dudley Branch Library and 585 Commercial Street). The results show 137,000 workhours – projects exceeding the People of Color goal but average a low 27% for Boston Residents. This is unacceptable and needs to change. It cripples the ability of the Commission. Celina, I would like to have a conversation with the Line department heads. J.F. White Contracting has 17,368 workhours and 18%BR combined on this project and Marine Wharf which is also being reviewed today. **Commissioner Cofield:** Historically, J.F.White doesn't provide what Ordinance states and only provides 21%POC. **Commissioner Watson:** Director Millner-Barros, as chair of this Commission, I don't think J.F. White should be working in the city. I urge BRJP office to take appropriate next steps. The City of Boston is committed to Equity and Inclusion, J.F. White's track record doesn't have that mission for Equity and Inclusion. Their history since 2014 is 76,000 wrkhrs and I take offense that the closest welder is out of North Carolina (see J.F. White letter dated 4/19/19). It's hard to believe, we could not find a qualified welder in the City of Boston. There's a welder from Boston in the audience today. I see outreach letters, but no response. J.F. White is not qualified, ready, or well positioned for what the Mayor has put forth. Efforts do not show contractor provided access and opportunity. Atlantic Coast Dismantling – no correspondence back. Stellar – not in compliance with their name. **Commissioner Martinez:** Commissioner Watson, looking at all the numbers for the past month, I do hope the Director will follow-up with your recommendations. It's heartbreaking to hear the 3 projects in my neighborhood that our agency has failed in their obligation to this city. **Commissioner Cofield:** Job's almost over so no need to beat a dead horse. All these city of Boston jobs are not in compliance with the signage. Going with lowest bid is wrong. Using companies that have been debarred is wrong. Bringing minorities from out of the city is meeting the POC goal, but it's not helping Boston residents. **Commissioner Watson:** Minority Businesses in this city hires local. **Commissioner Cofield:** I get satisfaction out of fighting for the people in our city. We will have a problem unless we get stringent on fines.

Public:

Janet Jones (Boston Jobs Coalition): When I see Mayor in a week or two this will be first order of business. This is totally disrespectful to the people in this city. **Commissioner Watson:** Director, I recommend we talk outside this meeting.

B. Marine Wharf

Duration: 18 mins.

Present: Alex Taranto (Intercontinental), Corey Allen (Suffolk Construction), Benedetto Salamone (Suffolk Construction), Brooke Woodson (Suffolk Construction), Dan Rice (Suffolk Construction) and Vargas DaSilveira (BRJP Monitor).

Project Overview:

36,694 wkhrs, 27%BR, 22%POC, 5%F

Vargas (BRJP Monitor): Just coming out the ground – no foundation as yet. **Ben Salamone (Suffolk Construction):** Project is 18% complete presently and expected to be at 25% completion early July. Since report, there's been increase in number of workers from 56 to 98 BR, 68 to 118 POC and 13 to 23 Females. We have good contractors coming on: Mechanical – EM Duggan and K&H Electrical. J.F. White brought us down. They're done. **Brooke Woodson (Suffolk Construction):** We too feel the frustration with the Commission. **Commissioner Watson:** It's helpful to know our assessment is consistent with one of the major GCs in the city. **Brooke:** Trying to come up with new Best Faith Efforts at Safety meeting. **Corey Allen (Suffolk Construction):** We want to capture verification information early on to alleviate extra work trying to find people. **Commissioner Watson:** There's time to figure out game plan before coming to BEC. **Corey Allen:** It helps with the partnership of the Commission to convince contractors that they must comply. **Commissioner Watson:** The email from David Borrus, Local 56 makes no sense (reference to workforce request from J.F. White dated 9/25/18 and response letter from Local 56 dated 9/25/18). **Corey Allen:** The conversation went up to upper management in Northeast. **Brooke:** Liberty Concrete is no longer working. We are looking for new concrete company. The Liberty Concrete division is about to end. **Commissioner Watson:** We need distinction on Liberty divisions (general, concrete, and drywall). **Corey:** Lund Rebar – has a number of apprentices it employs. Just want that noted. Might be something to consider in future – people of color from Boston. **Commissioner Watson:** I appreciate making note of that. I don't have answer right now but we can figure out how to quantify. **Celina:** That is one of the things Salesforce will capture. **Brooke:** I

applaud switching to Salesforce. We'll have that data live. As a major General Contractor, we have a partnership with Building Pathways and Youthbuild, which includes financial support. **Commissioner Cofield:** Good event and partnership. Keep in mind I have a list of 645 eligible to go to work with letters. 148 members looking for work. Liberty is Liberty to me - all the divisions need to come in. BAs at local 327 will assist you. We are making sure they are ready to work. **Commissioner Wright:** Much better note to end on. **Corey:** In regards to payroll submission, I've gone out to the place to help train persons having a challenge. **Commissioner Watson:** Thank you for sharing that. Suffolk has capacity to go out and work one on one with individuals. What tools does the City have to help those who don't have that capacity? As for this project, if anything comes up good or bad, keep us informed. When is the 50% completion mark estimated? **Corey:** December 2019.

IV. DIRECTOR'S REPORT:

Duration: 7 mins.

Salesforce continues to be built out. A demonstration was given to the GCs, Internal Stakeholders, City Councilors and their staff and resulted in concerns, anxieties and praise. Not putting all hopes on Salesforce, but want to note the hopeful state is looking good.

Construction Supervisor License (CSL) was launched at Roxbury Community College this week. Session in community brought in MBEs. Commissioner Cofield asked if it was at capacity. Celina explained that there were 20 seats to fill and 5 remain, but if you miss first class, you must wait until the next session. Commissioner Martinez asked about the outreach for this event. Celina stated that Joshua McFadden worked with Community, Building Pathways and leveraged our networks. Commissioner Cofield expressed that he had not heard about it. Celina apologized and shared that OSHA 10 starts in June and another CSL class will be in the Fall. Commissioner Watson gave accolades to Sheryce Hearn for her presentation during the Salesforce Demo and her ability to answer the questions with ease and clarity. Celina agreed that Sheryce is a treasure and wealth of knowledge and her longevity with the city and as a former construction monitor has prepared her well.

Director's report accepted and approved.

Hearing adjourned at 2:25 pm.