



SWLRT DBE and Workforce Advisory Committee Meeting

SWLRT Project Office, 6465 Wayzata Blvd, Suite 500, St. Louis Park, MN 55426

July 18, 2019

2:00 pm – 4:00 pm

Members Present: Julie Brekke, Emma Corrie, Barry Davies, Tracey Jackson, Salima Khakoo, Barb Lau, Sam Ndely, Gilbert Odonkor, Sheila Olson, John O’Phelan, Lynn Pingol, Mel Reeves

Other Attendees: Maura Brown, Robin Cauffman, Joan Hollick, Maggie Jones, Alex Llapa, Sam O’Connell, Kristin Prescott, Jon Tao, Steve Tuhy, Yolanda McIntosh, Elaine Valadez, Mary Elena Lopez-Urbina, Justin Yenter, Dale Even, and Nancy Nichols

Agenda Item 1: Call to Order

Co-chairs Tracey Jackson and Salima Khakoo called the meeting to order at 2:05 pm. Introductions were made by all present committee and audience members. Khakoo stated the meetings will be held on the third Thursday of each month from 2:00 pm – 4:00 pm.

Khakoo explained the purpose of the DBE and Workforce Advisory Committee is to collaboratively advise the Metropolitan Council and other organizations involved in the SWLRT project to oversee DBE and workforce participation, advance equity, and promote economic growth in the region.

Agenda Item 2: Approval of May 16, 2019 Meeting Minutes

Jackson advised the committee to review the meeting minutes from May 16, 2019 which were approved with no changes.

Agenda Item 3: Public Comment

Jackson explained at each meeting there will be an opportunity for the public to speak. Upon entering, community members can sign up to address the committee. Each speaker will be allowed two minutes.

Lynn Pingol asked if the meetings are advertised to the public and if there is a place the public can send questions prior to the meetings. Sam O’Connell said a list of public meetings can be found online on SWLRT.org by clicking on the Committees tab. The public is encouraged to attend, that is why the office is located near a transit line. Jackson responded that at the next meeting, the committee can discuss the best way to hear the public’s input. If anyone (including the public) has questions or comments, they can be sent to Salima Khakoo (salima.o.khakoo@state.mn.us) or Tracey Jackson (tracey.jackson@metc.state.mn.us). Barb Lau stated stadium construction meetings offered public comment at the end of the meeting to ensure the committee’s work could be accomplished. The questions were answered at the next meeting.

John O’Phelan asked if there is a way to make the meetings more accessible to the public as the SWLRT Project Office in St. Louis Park is out of the way for some. Jackson responded that following the meetings, the information is uploaded online for public access. Mel Reeves explained the Central Corridor meetings were directly off the green line making it more accessible to the public. This made the committee successful because of the public’s input. Moving the location to Minneapolis or rotating locations could make meetings more accessible. Jackson said this could be a future agenda topic.

Agenda Item 4: Adopt Committee Charter

Jackson introduced the draft charter for approval. It was adopted as of July 18, 2019 with no changes.

Agenda Item 5: Kickoff Summary (Slides 3-5)

Khakoo introduced the summary of the kickoff meeting. At the meeting, the committee discussed the challenges and successes for a project like SWLRT. Success means exceeding the DBE and workforce goals, creating retention, keeping DBEs in business, and bringing jobs to the community. During the Great Minds meeting in 2017, there were common issues raised then that are being raised now. (Slide 4)

Agenda Item 6: Great Minds Outcomes (Slides 6-8)

Lau discussed the outcomes of the 2017 Great Minds meeting. The group discussed the barriers and successes of the project and strategies to eliminate the barriers. The barriers include long pay cycles, lack of working capital, and capacity building.

Reeves elaborated on the workforce initiatives to help people access construction jobs. These initiatives include offering more options for folks with GEDs, career fairs to expose students to the construction field, sensitivity training for supervisors to promote a healthy work environment, and pre-apprenticeship programs. Barriers to accessing construction jobs include a lack of transportation, the need for childcare, unconventional hours, and a lack of employee retention. Emma Corrie said a collaborative meeting with the Metropolitan Council, MNDOT, the cities and counties, the unions, and workers that paints a realistic picture of the trades would be beneficial.

Agenda Item 7: SWLRT Project Update (Slides 9-25)

O'Connell presented an update on the SWLRT project. During May's Kickoff meeting, an overview of the project was presented. The current construction work includes clearing and grubbing, removing utilities, and demolition. O'Connell encouraged folks to support the businesses affected by construction. She then presented an update on specific locations along the corridor:

- Eden Prairie: Installation of sheet piles by TH 212 at Southwest Station. Demolition of a Culver's. Clearing at Town Center Station. Installation of pipes and stabilization of work locations at Golden Triangle.
- Hopkins Depot: Temporary parking for customers.
- Cedar and Kenilworth Trails: Outreach efforts to inform the public about detours. Tree removal at Kenilworth. Pier protection work at I-394 and Cedar Lake Trail.
- Calhoun Isles: Vibration monitoring to comply with the Council's environmental commitment.
- Linden Yards: Batch plant and temporary concrete.

O'Connell explained the outreach strategies used by SWLRT. SWLRT shares a construction update every Friday via an email blast in addition to utilizing twitter, a 24-hour hotline for transit concerns, open houses, and pop-up events along the corridor. SWLRT is working with affected businesses to provide construction updates. Jackson asked how the community can sign up for the email blast. O'Connell replied that on SWLRT.org there is a link that allows folks to opt into email and text updates.

Agenda Item 8: SWLRT Civil DBEs (Slides 26-30)

Jackson presented the 51 DBEs currently on the SWLRT project. On the spreadsheet handout, the original bid commitment amount reflects the value the prime contractor submitted for the DBE at the time of bid. The current contract value reflects the current value the Council has tracked for the DBEs' contracts. As Good

Faith Efforts were pursued, some contract amounts changed. The values highlighted in green are values that either increased or were added after the time of bid. Currently, the total amount of money going to DBEs is approximately \$15 million dollars higher than the original DBE commitment.

Dale Even clarified the contract amount for the DBE Intelligent Unmanned Aircraft System is already captured in IMO's current contract value and needs to be corrected. Jon Tao committed to correcting the numbers on the spreadsheet and PowerPoint to reflect the most recent updates.

Non-minority individuals make up the majority of DBE participation, but the demographics are more diverse than in past years. Lau said the non-minority percentage is usually closer to 60%.

Agenda Item 9: DBE Report and Activity (Slides 31-34)

Tao introduced May's DBE Progress Report from pay application 9. This report is used to review pay apps submitted by LMJV to track what has been billed and paid to date. LMJV's DBE participation goal is 16%. Based on the amount of money billed to date, only 3.78% of DBE participation has been accounted for, but mobilization is just beginning so this number will eventually increase. Tao updated that the systems contract for SWLRT is currently in the procurement process and being assessed for its DBE goals.

Even stated some of the money LMJV has paid is not on the report. He asked how these numbers are being recorded. Tao responded he has been working with Cody from LMJV to retrieve these numbers. LMJV must update their payments in the Contract Management System (CMS) to reflect the current values. Jackson stated it is the responsibility of the contractor to update their values.

O'Phelan asked if the Council is using a software program or an excel spreadsheet for tracking DBE money. Tao explained the Council is using the CMS system which is an updated system from what was used on CCLRT. The prime contractors log what has been billed and paid to date, and this is what is reported to the FTA.

Lau asked when the most recent pay request is going to be paid. Even said to expect pay app 10 by next week.

Lau asked if VEIT had to submit a progress report. Tao said that VEIT does have a report, but it was not presented as they are currently in the closing process. Tao said he could provide this information at the next meeting. Reeves asked if VEIT had a workforce goal. Elaine Valadez responded they had the same goals as every other project (32% minority, 20% female). Reeves asked what VEIT's role was on the project. Tao said SWLRT had a contract for building demolitions at the future Operations and Maintenance Facility in Hopkins where VEIT was the primary contractor. Since then, VEIT has turned this property over to LMJV.

Lau asked if there were goals during the engineering process that could be reported. Jackson explained there is a possibility to present these goals or have the design firm (AECOM) attend a future meeting.

Justin Yenter presented LMJV's current DBE values and Good Faith Efforts. About 15 million DBE dollars have been added to the contract since the original bid. Barry Davies asked if the DBEs have workforce goals for their respective businesses. Even said the DBEs do not have individual workforce requirements.

Agenda Item 10: Workforce Report and Activity (Slides 35-46)

Valadez presented the workforce report based on gender and ethnicity from LMJV. Currently, the achievements are low because construction is just beginning. The goal of workforce initiatives is to partner with businesses to create a more equitable workforce free from discrimination.

Corrie said there is value in knowing the construction schedule as it is important to know when a large workforce and specific trades will be needed to help create a diverse workforce. Valadez said she could provide this information for the committee in the future. Jackson said this could be a future agenda topic.

O'Phelan stated a full-time worker works approximately 2000 hours a year, and there have been only 7000 hours of work submitted for the entire project. Even said most of these hours represent superintendents. Valadez replied only trade hours were counted, not superintendents. Even explained superintendents may be listed under a trade title even if they are performing superintendent duties. Valadez said individuals engaging in construction work and superintendent duties would be counted, but not sole superintendents. Mary Elena Lopez-Urbina clarified superintendent hours were not counted in the statistics.

Maura Brown asked if LCP tracker is being used on the project. Urbina-Lopez explained she is using LCP tracker for the certified payroll reports. The numbers from Valadez's report came from LCP tracker. Jackson stated the Council is still in conversation with LMJV and SPO about providing MDHR with LCP tracker. Robin Cauffman stated some do not have access to LCP tracker because it contains non-public data. Reeves stated MDHR has used LCP tracker before, and Valadez confirmed MDHR had access during stadium construction. Jackson said this can be addressed at the next meeting.

Reeves asked if there is a possibility to see the subcontractors' progress on the project. Valadez said this information is unavailable without access to LCP tracker. Jackson said this report could be possible if MDHR gains access to LCP tracker. Urbina-Lopez stated LMJV is working on plans to hold the subcontractors accountable. LMJV sent letters to request subcontractors' work plans. They received only four responses, and two work plans were submitted to MDHR. McIntosh explained obtaining the subcontractors' work plans has been frustrating. The subcontractors signed their contracts knowing a work plan was required. LMJV has offered their assistance. LMJV does not want to send incomplete work plans to MDHR, so they ensure all information is present in each work plan prior to submittal which has caused delays. McIntosh said it is important to discuss the reality of this situation.

Urbina-Lopez stated there is a career fair planned for August 22, 2019. She asked if the committee wants to exert effort on this career fair given the pace of construction activities. When people attend the career fair, they expect jobs to be available. Even responded they expected the ramp-up to be in April, but it looks like it will be in July. Julie Brekke said having a career fair in August could be beneficial to allow workers with skill gaps to train in the winter. McIntosh replied most people applying for jobs have experience, so training won't be a serious issue. She asked if the committee should move forward with a career fair knowing it will waste time. Urbina-Lopez said people may not be interested in the project later if the fair is held prematurely. Additionally, word of mouth about the project could become negative if the fair is held now. Gilbert Odonkor said with a career fair you are likely to attract new people that may not have a trade specialty; we should combine this with the movement of the work. It was agreed by the committee that the career fair should be rescheduled. McIntosh said LMJV utilizes recruitment strategies (slides 45-46) to advocate for SWLRT. The idea is to not just have LMJV at these events, but also the subcontractors, unions, and community organizations. LMJV will continue recruitment efforts while the fair is postponed. Jackson stated the committee can continue this conversation at the next meeting.

Reeves said it is important that the majority of workers come from zip codes affected by construction and asked if SWLRT has any zip code goals. Jackson replied there were no requirements in the contract for zip codes. Reeves suggested these statistics should be available. O'Phelan stated federal dollars may affect the requirement of hiring from certain zip codes, but it would be beneficial to have the statistics even if it is not required. Even stated LMJV can share this report at a future meeting.

Agenda Item 11: DBE Pay Cycles (Slides 47-54)

Yenter presented LMJV's prompt-payment process. DBEs will be paid within 10 days of LMJV's payment.

Kristin Prescott presented the Council's payment process. The process is lengthy due to the many steps the payments cycle through to ensure compliance (slides 53-54). Odonkor stated this should be a future agenda topic as this is the first time many are seeing this information. O'Phelan asked if this process is different from

the one used for CCLRT. Jackson explained the Council now has prompt payment, and Tao monitors the status of the cycle daily to provide information to the DBEs.

Lau asked about the payment of materials and supplies. This topic will be covered at the next meeting.

Agenda Item 12: Workforce Industry Overview (Slides 55-72)

O'Phelan presented an overview of the workforce industry. In the Twin Cities, there are multiple apprenticeship training centers, colleges, and non-profits that provide resources for aspiring construction workers. Corrie asked how much programs like this cost. Davies said some charge for textbooks, but with new technology such as iPads, these costs may diminish.

O'Phelan explained the demographics of the construction industry have expanded to include more women, minorities, and veterans, but more progress is necessary. Construction is small business; most businesses have less than 10 employees. Apprenticeships can create retention, but they are an investment for small businesses as they must bring in more workers (slides 67-72). Additionally, the committee should be careful about how they sell the construction industry. Retention is necessary as individuals are constantly being laid off and moved around. The report may say jobs were created on the project, but these jobs were only filled for a few months which doesn't show the reality of the situation.

Agenda Item 13: Adjourn (Slides 73-End)

Jackson reminded the committee the next meeting will be at the Southwest Project Office again on August 15, 2019.

The committee agreed to move the career fair to a later date to coincide with heavy construction.

Meeting was adjourned at 4:12pm.

Future Agenda Items:

- Career fair update -- Workforce report and construction schedule are needed. When is construction going to ramp up? What type of work will be needed?
- VEIT and AECOM reports
- LCP tracker access
- Zip code workforce report
- Accredited vs non-accredited programs
- Pay cycles
- Retainage and change orders with materials
- Accessibility of meetings and public comment
- Explanation of reported numbers (they are the verified numbers so there is a two-month lag)

Action Items

- Update DBE numbers – Tao
- Update Workforce numbers – Valadez
- Enter data in CMS to reflect the most recent values – LMJV
- Report of zip codes – LMJV or Valadez if she gains access to LCP tracker
- Include Co-Chairs' contact information on the agenda for the public to contact
- Check DBE payments are within the timeline – Tao