

Southwest LRT DBE and Workforce Advisory Committee

Thursday, December 17, 2020

2:00 – 4:00 p.m.

WebEx Meeting

Meeting minutes

AGENDA

1. Roll Call by Salima Khakoo:

- a. Barry, Gilbert Odonkor, Sheila, Julie Brekke, Mel, Maura, Leslie Woyee, John O-Phalen, Mary Schmidt, Barb Lau, Dale Even, Christa Seaburg, Mary, Elena, Cody Ferguson, Katy, Chris Toney, Mike Toney, Kent Robbins, Elaine Valedéz, Brianne Lucio, Salima Khakoo, Ashanti Payne, Sam O'Connell, Jon Tao, Vincent Fuller, Mahad Omar, Charlotta Prestine, Brian Runzel, Jeff Salzmänn, Lykahnu Lysongtseng, Yolanda, Joanne Heager, Jenny Winkelear, Melanie Williams

2. SWLRT Project Update by Sam O'Connell (Slides 3-5)

- a. Sam displays the 2020 construction highlights.
 - i. Currently under construction there are: 8/16 LRT stations, 23/29 bridges. 5/8 tunnels, and 91/127 retaining walls under active construction.
 - ii. 94% of private utilities are completed, 65% of public utilities are completed, all 15 building demolitions are completed, the Systems contractor was mobilized, and Franklin OMF modifications began.
 - iii. Sam shared the current construction communications resources such as social media, the 24-hour construction hotline, and project website.

3. DBE Achievement Reporting by Jon Tao (Slides 6-13)

- a. DBE achievement to date is \$63,763,449 at 18.2% for all contracts with DBE activity.
 - i. LMJV is at 19.9% to date, APJV is at 3.8% to date, LS Black is at 6.5%, and closed contracts are at 18.4%
- b. Jon shares that Pay App 25 is going out, and that LMJV is working with their subs to make sure that they are being paid and communicated to regarding the payments. He states that the payment process is being monitored for improvements and changes.
- c. DBEs disaggregated data

- i. Civil Contract total is at \$817,292,497 and DBE commitments total come at \$181,234,616 (22.18%).
 - 1. Barb Lau: "Let's be careful about how the disaggregated data is talked about"
 - 2. Christa recommends the following "we are exceeding DBE goals, that during the project CCLRT contractors were struggling to meet or exceed the goals. We need to think about as an industry moving forward about DBE participation. Look at the past, look at the present and plan out the future"
 - 3. Ashanti: "If we don't track/highlight these things, how are we going to know where we need to develop our capacity for the different identities and their respective data. We should not be defensive about it but be more proactive about it."
 - 4. Leslie Woyee: "Are any of the DBE's working on the project going out of business because of COVID?"
 - a. Jon answers that no DBE's have gone out of business and noted that the good thing about the project is that the work has been consistent despite the pandemic.
 - ii. Systems Contract total is at \$194,411,000 and DBE commitments total come at \$27,414,195 (14.10%)
 - iii. Franklin Contract total is at \$38,650,000 and DBE commitments total is at \$7,630,136 (19.74%)
- a. **Civil: LMJV DBE Activities by Dale Even** (Slides 14-17)
- i. Owner change orders approved thru November are \$18,841,091. DBE change order participation is at \$2,513,354 which is 13.3%. The current job to date participation is 20.07%.
 - ii. Dale shows a snapshot of all current DBE's involved on the project.
 - iii. There are 26 DBE's with LMJV, 10 DBEs with Lunda Stations:
 - 1. 2nd tier participation: Ten 1st tier subcontractors have 25 DBE subcontractors/suppliers working with them

2. The LMJV gives a big thumbs up to Egan who has 12 DBEs working with them

b. Systems: APJV DBE Activities by Chris Gannon (Slides 18-23)

- i. Chris Gannon shows a snapshot of all current DBE's involved on the project.
- ii. Chris shares that Generation Cable has done their final delivery of Traction Power, OCS, Signal Power Cable to warehouse, Gunnar Electric are taking care of Submittals/Project Meetings, and Meyer Contracting are taking care of Submittals/Project Meetings.
 1. Christa mentioned that Meyer Contracting graduated from the program, and Chris mentioned that they are using DBE subcontractors. Christa asks that the subcontractors should be listed.
- iii. Owner change orders approved thru 11/1 are at \$611,33. DBE change order participation is at \$187,356.00 for Gunnar Electric which is 30.6%, The DBE job to date participation is 4.0%
- iv. APJV's DBE feature is Bald Eagle Erectors: Rebar for Traction Power Substation Foundations. Their DBE commitment is at \$130,401.95 and are working in LINO Lakes. They were established in 1994, specializing in concrete reinforcing, post tension, welding, structural steel, railings, stairs and miscellaneous metal installation.

c. Franklin O&M: LS Black DBE Activities by Jeff Salzmann (Slides 24-27)

- i. Jeff shares that owner change orders 1-8 approved thru 11/01 is at \$40,096.84. DBE change order participation is at \$26,475 which is 66%.
- ii. LS Black's DBE feature is Camacho Contractors: EPDM Roofing, Flashing and Sheet Metal. DBE commitment is at \$715,140, completed to date is \$118,757 which is 16%.
- iii. Jeff shows a snapshot of all current DBE's going to be involved on the project.

d. Discussion following DBE Activities:

- i. Barb Lau: I've gotten several calls from DBE's on the project. As the SWLRT project schedule has been extended from 3-5 years, there are a few things that I want people to be aware of regarding how it affects a subcontractor:

1. It increases the dollars of the subcontractors of what they put in. The pricing that subcontractors have on materials are on a time lined pricing which can increase their price from vendors. There are now an extra two years of labor and union negotiations and wages. Longer storage for supplies. Spread out time of labor hours and prevent them from getting more work
 - a. Ashanti shares that the Council is taking these concerns seriously
 - b. Brian Runzel shares that we will have a delay on the project, but he hears her concerns on the issues that it can cause the small businesses. He plans to meet with Ashanti and the JV to work towards alleviating those issues and working on a better way to address this issue since we do not want any DBEs to go out of business.
 - c. Gilbert Odonkor shares that Barb's concerns are valid. "On the last meeting's DBE panel, there were a lot of successes but also a lot of challenges highlighted. I hope those were captured by your team, these are large concerns for DBEs when it comes to payments and pay cycles. These issues are not new, we all knew that cashflow is a big issue for small businesses. It's not been addressed yet, but I hope in some way that the issues were raised in your check-in meetings then captured and looking forward to see how those issues will be addressed"
 - i. Ashanti thanks Gilbert and Brian about bringing light to these concerns. "Gilbert, most certainly we have heard the concerns and captured them. Beyond conversations, what I would like to point out is that I've been troubled by what I heard but I also had to get myself more informed on some of the things were going on and how some of the aspects with the pay cycle

operate and have those conversations both internally with the project office and JV.

- ii. Kent Robbins: “You have to let us know Ashanti if there is anything we can do to help with any issues”
- iii. John O’Phalen: “Tracey to me was one of those very helpful people regarding this discussion and would have been a great asset to the Council for this work. Referencing a study, 1 in 20 firms within this slowdown will lose their business. This is very concerning to me. This project has the money to do it, and we need the leadership to take care of this issue, so business does not continue the way it is.”

4. **Workforce Participation Reporting by Elaine Valedez** (Slides 28-36)

a. Civil Workforce participation

- i. October 2020 is at 65,331 hours. Construction total is at 866,224 hours. Percentages are at 8.44% for women to date and 21.22% for POCI to date. Unspecified is 0.28% to date.
- ii. Hours worked by category are: 70% for white men, 19% for POCI men, 2% for POCI women, 8% for white women, and 1% for unspecified.
- iii. Total women hours to date is 73,078 hours, which is 10.92% for the month. The goal is 20%. Total POCI hours to date is 183,809 hours which is 21.1% for the month. The goal is 32%.
- iv. For disaggregated data percentages:
 - 1. October 2020: 78% White, 3% Asian, 7% Black, 1% Multi-ethnic, 2% Native American, 9% Hispanic/Latino, and 0% non-specified
 - 2. Project to date: 79% White, 4% Asian, 5% black, 1% Multi-ethnic, 2% Native American, 9% Hispanic/Latino, 0% non-specified.
 - a. Leslie Woyee: When you say project to date, when is it through?
 - b. Brianne Lucio: This is reported as the whole life of the project thru October.

- c. Leslie: Has no one made any complaints about civil rights concerns?
 - d. Elaine/Salima: We are not at a liberty right now to discuss any matter of an individual sort, but more so trends that are permeating throughout the workforce. We have not seen any group level issues pop up as we have done our site visits throughout the summer.
 - 3. Trucking participation on project being counted are the following:
16,770 hours for MBE, 3,232 hours for ZTS, and 522 hours for Rock-On Trucks. All of these are based on project to date.
 - b. Systems Workforce participation
 - i. October 2020 is at 0 hours. The construction total is at 223 hours. The percentages are 34.53% for women to date, 29.60% for POCI to date, and 0\$ for unspecified to date.
 - c. Franklin O&M Workforce Participation
 - i. October 2020 is at 5,280 hours. The construction total is at 11,361 hours. The percentages are at 5.77% for women to date, 24.87% for POCI to date, and 2.07% for unspecified to date.
 - ii. Comment from Joanne Hage: "Failure to meet the goals on this project has had a negative economic impact on women and POCI and it would be helpful to state what that dollar figure is when we are discussing the workforce participation in the project on at least a quarterly basis."
- 5. **Civil: LMJV Workforce Activities by Christa Seaburg** (Slides 37-39)
 - a. Christa shares that the JV participated in MN Apprenticeship weeks activities. They are brainstorming with internal team on creating a potential Lunda mentor program for one of the Goodwill/Easter Seals candidates. They are holding meetings with various union representatives. They are continuing work on field anti-harassment training documents.
 - b. There are 3 total transfers for LMJV as of November 2020. There are 2 white male transfers and 1 POCI male transfer.
- 6. **Systems: APJV Workforce Activities by Mike Toney** (Slides 40-41)
 - a. Mike shares their plan to meet workforce goal:

- i. APJV craft labor will not begin until April 2021. APJV has had meetings with Local 292, Local 160 and Local 49. APJV is working to identify opportunities to increase POCI and women participation on the project through workforce retention. They have held a meeting with Ramsey County Workforce. They met with Building Strong Communities Cohort in October. They participated in Mock Interviews at Summit Academy, Nov 12th. They are participating in the ACE mentoring Program: Volunteer Mentors & Summer Internships for High school Students. Their Kick-Off meeting with Meyer is postponed to December.

7. **Franklin O&M: LS Black Workforce Activities by Jeff Salzmann** (Slides 42-43)

- a. Jeff shares their plan to meet workforce goals:
 - i. They scheduled monthly GFE meetings with Joseph Serr at MDHR. Their next meeting is schedule on Dec 10th. They are working with major subcontractor partners to identify opportunities to increase POCI and Woman participation. They held a Kick-off meeting with Red Cedar Erectors and staffed a POCI female iron worker to the Franklin O&M project. Building Strong Communities will be featuring her in a recruitment video. LS Black has monthly conversations with North Central States Regional Council of Carpenters and Metropolitan Local 563 to identify POCI hiring opportunities. LS Black has scheduled a meeting with Summit Academy after the holidays to identify additional POCI hiring opportunities.

8. **2020 DWAC Year in Review by Ashanti Payne** (Slides 44-48)

- a. Ashanti shares the DBE and workforce highlights prepared by the OEO interns. He goes through each of the highlights month by month.

9. **2021 Committee Modifications by Jon Tao** (Slides 49-51)

- a. Jon shares the 2021 projected meeting dates, which will occur on the 3rd Thursdays of the month from 2PM-4PM.
- b. Ashanti shares that advisory committee meetings will be recorded and live streamed on the Metropolitan Council and SWLRT websites. This change will make advisory committees more uniform across the Council. The new format limits participation to advisory members and presenters. All public attendees are encouraged to reach out to co-chairs or committee members with questions and comments.

- c. John O’Phalen: “I’d love to hear from both Chair Zelle and Cy about what the future of the civil rights division looks like and what’s happening at the Council, since these individuals that are no longer working with the divisions are aware of the best models and have extensive experience of previous projects. Where is the Metropolitan Council? I hope it is not moving to a more conservative and less equitable approach. It doesn’t look impressive right now, but I would like to know the full story.”
 - i. Ashanti: “There is not less focus, there is more focus on not only compliance/regulation but a focus on bringing equity into the conversation to make sure we are impacting equity across the region. We will definitely use our influence, our strategy and technical expertise and experience to influence diversity and experience. We have made some changes within OEO that will help us make the changes we described beyond compliance and regulation and in equity. We will also add new positions in OEO to help us with this.
 - ii. Ashanti to Mel: Metropolitan Council does not have workforce compliance authority and compliance is not the same as Equity.
 - iii. Mel: Who are contractors accountable to then on the project for compliance?
 - iv. Ashanti: MDHR has compliance authority.
 - v. Kent: If a non-member has a comment or a question, they won’t be able to ask it during the meeting even if they were following the meetings closely. If there is no way to impact a meeting as it happens, then it has to be postponed and lessens the quality of the discussion.

10. Building Strong Communities Update by Vincent Fuller (Slide 52)

- a. Vincent provides an update for BSC. They have exciting news regarding funding the 2021 cohort. They are going through some program changes with CVOs. They are working diligently to start in late January thru March and jump into construction season. They have already started recruiting.

11. Adjourn

Meeting Chat Dialogue:

from Jon Tao to everyone: 2:07 PM

Mary Schmidt is disconnected and trying to reconnect

from John O'Phelan to everyone: 2:11 PM

Small Meeting Minutes Change. My name is spelled John instead of Jon. Thank you!

from Jon Tao to everyone: 2:12 PM

I will make that change John. Thanks.

from Salima Khakoo, Human Rights to everyone: 2:20 PM

Thanks John O and Jon T.

from jwinkelaar to everyone: 2:31 PM

I have to run to a 2:30 meeting. Wishing everyone a safe and happy holiday season!

from Salima Khakoo, Human Rights to everyone: 2:35 PM

Thanks Jenny happy holidays to you

from Joanne Hager to everyone: 3:14 PM

Failure to meet the goals on this project has had a negative economic impact on women and POCI and it would be helpful to state what that dollar figure is when we are discussing the workforce participation in the project on at least a quarterly basis.

from Maura Brown to everyone: 3:16 PM

Great idea, Joanne.

from Joanne Hager to everyone: 3:17 PM

we can use an average trade wage

from Maura Brown to everyone: 3:17 PM

I'm not sure that exact precision is necessary

from Salima Khakoo, Human Rights to everyone: 3:19 PM

Thank you for this idea. We appreciate it.

from John O'Phelan to everyone: 3:23 PM

Keep your creative ideas/actions rolling Christa - nice job!

from mtoney to everyone: 3:28 PM

Sorry

from Salima Khakoo, Human Rights to everyone: 3:30 PM

Mike the question was whether you will be offering HS students summer opportunities via the ACE program

from Salima Khakoo, Human Rights to everyone: 3:34 PM

Mike I can see you

from John O'Phelan to everyone: 3:35 PM

This is excellent - Thank you Jon and everyone else who helped put this together! It's always great to see what has been accomplished.

from Jon Tao to everyone: 3:42 PM

past meeting materials can be found here:

from Jon Tao to everyone: 3:42 PM

[https://metrocouncil.org/Transportation/Projects/Light-Rail-Projects/Southwest-LRT/SWLRT-Committees/DBE-Workforce-Advisory-Committee-\(1\).aspx](https://metrocouncil.org/Transportation/Projects/Light-Rail-Projects/Southwest-LRT/SWLRT-Committees/DBE-Workforce-Advisory-Committee-(1).aspx)

from Salima Khakoo, Human Rights to everyone: 3:43 PM

Kent I emailed you for your ease

from Barb Lau to everyone: 3:49 PM

Agree with John this should definitely be leadership coming in and presenting to the council in the new year

from Maura Brown to everyone: 3:52 PM

Wanda certainly showed enormous leadership on workforce issues. Leadership doesn't require jurisdictional authority.

from Joanne Hager to everyone: 3:53 PM

Thank you, Maura!

from Sheila Olson to everyone: 3:57 PM

I agree with John and Barb that it would be good for council leadership to come in and present these changes. They don't have to get into personnel issues but the email they sent didn't really tell us where they're going moving forward.

from Mahad Omar to everyone: 3:58 PM

We can't hear you Mel

from Joanne Hager to everyone: 4:01 PM

Mr. Payne, would the expansion of your department that you spoke of include listening to and engaging the worker's voice?

from LESLIE WOYEE to everyone: 4:05 PM

Thanks everyone - have a wonderful, safe holiday - take care!

from Sheila Olson to everyone: 4:09 PM

I need to get off but Happy Holidays all!

from Joanne Hager to everyone: 4:10 PM

There are plenty of women and POLI journey workers who would love to join the project. How is outreach going on that?

from Joanne Hager to everyone: 4:11 PM

project-wide

Next Scheduled Meeting: January 21, 2021 from 2:00 - 4:00 pm