

Southwest LRT DBE and Workforce Advisory Committee

Thursday, March 17th, 2022

2:00 – 4:00 p.m.

[\[Handouts\]](#) [\[Presentation\]](#) [\[Draft Charter Update\]](#)

1. **ATTENDEES** – Ashanti Payne, Jon Tao, Scott Beutel, Elaine Valadez, Barry Davies, Jenny Winkelaar, Gilbert Odonkor, Eric Ampadu, Barb Lau, Kendra Kron, Christine Bronson, Julie Brekke, Tony O’Brien, Alex Merritt, Leslie Woyee, John O’Phelan, Sheila Kauppi, Thomas Scott, Nic Dial, David Davies, Lucio Brianne, Dale Even, Christa Seaburg, Katy Maus, Michael Toney, Chris Gannon, Eli Brandenburg
2. **Advisory Committee Membership and Charter Amendment Discussion (Slides 3-7)**
 - a. Ashanti shares that the proposed changes to the Membership Section of the Charter. Ashanti explains that these are proposed changes that have been discussed previously. Ashanti also shares that Chair Zelle will have the final decision on the proposal changes to the charter.
 - b. The proposed changes are -
 - i. Remove: ... if an appointed member is no longer able to participate actively in the DBE & Workforce Advisory Committee, the appointing organization will name a replacement.
 - ii. Add: ... If an appointed member is no longer participating actively in the DBE & Workforce Advisory Committee, the appointing organization will name a replacement. If no replacement is identified or participating actively, the Metropolitan Council Chair, in consultation with the DBE & Workforce Advisory Committee, will appoint a replacement or additional member organization.
 - c. Question from Alex Merritt: How many consecutive meetings must be missed for this to be put in force?
 - i. Ashanti: That he would like to add to the amendment that it should be three consecutive meetings.
 - d. Question from Julie Brekke: Will this amendment be viewed retroactively for organizations that have not been engaged or is it just going from this point forward?
 - i. Ashanti: That as a generality we have had good attendance and are talking about at most 2-3 organizations that have not participated for a long time. Ashanti would like to add to the amendment to retroactively add or replace an organization in that line that has been absent for that long.
 - e. Question from Gilbert Odonkor: When you say “appoint a member” does it refer to the people appointed in terms of the main and the substitute? So if the substitute is available often, the main person who was appointed is not, is that meant to this will still take effect?

- i. Ashanti says no, this amendment is really about the entity or agency that is absent and does not have any main or substitute participating actively.
- f. Question from Alex Merritt: I think the 90 day piece makes sense then, that, “if no replacement is identified or participating actively after ninety days, the met council will _____”
 - i. Ashanti: Yes, and just to recap, the proposed changes to the proposed amendment are one, to add the ninety days, three consecutive meetings where the appointed members and no alternative has attended, then the chair in consultation with the committee will appoint a replacement or additional member organization.
- g. Comment from John Ophalen: I was thinking of the retroactive piece and I’m wondering since that is a sudden decision here that we may want to figure out how to give them thirty days and the next meeting can ask them to be removed, but between now, if we are going retroactive do this we can provide that thirty day time to communicate to them and if we don’t hear back from them, we’ve done our due diligence with these proposed changes.
 - i. Ashanti: That seems reasonable and unless there is any objection he proposes to move forward with that process.
- h. Question from Elaine Valadez: It is my understanding that you and Selema have tried several times to reach out to MEDA, for example, who has not participated for several months, and have not been able to get a response, am I correct on that??
 - i. Ashanti: You are correct, but he does not think it will do any harm giving them an additional 30 days to respond.
- i. Ashanti moves on to the next proposed amendment change to the Membership List:
 - i. Proposed: Add an additional bullet to membership list:
 - 1. Up to 3 Construction Trade Unions (Must be from different trades)
- j. Barry Davies says he is fine with additional unions being a part of this. He does say this committee was set up with the intention to not have that many Union representation on the board, but that he is fine with having more. Barry also makes clear that the Union only trains people, it does not hire, it is the contractors that hire.
- k. Question from Barry Davies: I’m taking a building trade spot and then there’ll be three construction trade unions, is that instead of the Minneapolis Building Trades or in addition t?
 - i. Ashanti clarifies that it would be two additional trade unions along with the Minneapolis Building trades Union.
- l. Ashanti shares the proposed changes to the At-Large section.
- m. The proposed changes are:
 - i. Remove: ... If an appointment at-large member is no longer able to participate in the DBE & Workforce Advisory Committee, the Chair will appoint a replacement.

- ii. Add: ...if an appointed at-large member is no longer participating actively in the DBE & Workforce Advisory Committee, the Metropolitan Council Chair, in consultation with the DBE & Workforce Advisory Committee, will appoint a replacement or additional member organization.
- n. Question from Alex Merritt: I just want to revisit the point Barry had made around the fact that contractors hire versus the trade unions themselves. I just want to understand this a little better and if does this give us the goal that were going after, or is there something else we really need to be looking at?
 - i. Ashanti: Yes, the contractors do the hiring, and either you are already a member, they do contact the unions to get people off their bench, in terms of apprenticeships, the union opens up the apprenticeship at designated times according to their bylaws and rules of their union, but even still that, apprentice would have to get a job with a contractor and then they can get sponsored into the union by the contract.
 - ii. Christa Seaburg adds: That is for a large majority of the trades, but there are the license trades, such as electricians that do have to go through union training first, there are certain certifications that they have to do first before they can think about hiring them onto their projects.
 - iii. Barry adds that the point he brought it up is because if we're trying to increase and check on the participation on this project just by having more union representatives, it is not going to necessarily ensure that. He also adds that operators can sponsor someone in their apprenticeship and then as long as they can pass the Ramsey test, they're a union member. Christa is right about the electricians and sheet metal, but for most of the crafts that are working on the light rail, the Union contractors can bring members in.
- o. John Ophelan comments: The goal of this proposed changes is really about people coming to our meetings and expanding the union membership. He did want to comment that the Associated general Contractors of Minnesota Survey, which is over two-hundred, in 2020 30% of the companies didn't even use the JETCs, and 30% seldomly used it. In 2021 40% didn't use the JETC's and 23% seldom used them. So the critical part is that contractors use the JETCs with qualified and trained workers that can do the work and that we've worked hard to try to get people into our apprenticeship programs. And we really need the contractors to reach back out to those JETCs. The data is there, we can show it. The discussion is about the proposed charter changes, but I think the board should know this and its important we get these contractors to pick up the phone and call the JETCs, the ones that are not doing that.
 - i. Ashanti: I just want to add that this points out the desire to hear from different unions because there are differences not only in terms of the rules but how long it takes to go from apprentice to journey worker. There's also in our region a shortage of skilled labor in some of the trades, which impacts different trades

differently, and I think that its important that the committee members understand that, and those that are in position to assist and to not only assist the contractors but also the trade unions, we need to have a strategy where we have those shortages in our region, because the ultimate goal is to strengthen the economy of this region. So I know that we do have workers on this project from outside Minnesota, the twin cities region, and Wisconsin, but we definitely want to make sure we can strengthen this region in this economy.

- p. Vote on Charter Amendment – Passes 11 to 0 (4 were not present).
 - i. Ashanti Payne – Yes
 - ii. Scott Beutel – Yes
 - iii. Barry Davies – Yes
 - iv. Gilbert Odonkor – Yes
 - v. Barb Lau – Yes
 - vi. Marvin Smith – Not Present
 - vii. Sheila Olson – Not Present
 - viii. Julie Brekke – Yes
 - ix. Tony O’Brien – Yes
 - x. MEDA representative – Not Present
 - xi. Alex Merritt – Yes
 - xii. Leslie Woyee – Yes
 - xiii. Hire MN – Not Present
 - xiv. JohnO’Phelan – Yes
 - xv. Mary Schmidt - Yes

3. GREEN LINE EXTENSION PROJECT UPDATE By David Davies and Nic Dial (Slides 8-17)

- a. David shares information on the LRT construction sequencing and status. David says they are currently 60% complete on the project. The initial phase of the construction with the site prep is pretty much complete. They are currently in the thick of civil construction.
- b. David also shares they have initiated construction on the systems side of things with APJV.
- c. David shares some Civil Construction challenges and key issues, including the addition of the corridor wall in the Brenmar area, the Secant pile (retaining) wall in the Kenilworth corridor, and the addition of the Eden Prairie Town Center Station.
- d. David shares some revisions on the Civil Construction schedule and cost changes due to these key issues.
 - i. There has been an addition of 34 months onto the project which is still being worked out with LMJV.
- e. David shares information on the project budget, and that additional funding will be needed to complete the project. They are working with partners to identify available funding solutions.

- f. David shares some national comparisons in relation to the cost of the project per mile, noting that even though it has increased, it is still in line with complex projects across the nation.
 - g. Question from Alex Merrit: How does this compare to the cost of projects within the Twin Cities?
 - i. David says it is more expensive, the original green line was about \$90 million per mile. Nicholas says they are doing a lot more structures compared to older projects, specifically the Kenilworth corridor. This is way bigger than previous projects.
 - h. David shares some upcoming community outreach events, including public construction tours, pop-up events, and continued weekly/ bi-weekly construction updates.
- 4. DBE ACHIEVEMENT REPORTING**
- a. **DBE Progress Reports by Jon Tao (Slides 18-24)**
 - i. Jon shares the DBE achievement as of January 31, 2022. Total DBE% to date across all contracts are at 20.4% out of the 15% goal. Progress is good according to Jon regarding DBE achievement progress.
 - ii. Jon shares information about the settlement agreement regarding cost escalation and various change orders with the Joint Venture.
 - iii. DBE participation on the Civil contract is currently plateaued at 21.0%.
 - iv. DBE participation on the Systems contract is at 15.6%.
 - v. DBE participation on the Franklin contract is 19.0%.
 - vi. Jon shares the disaggregated data for the Civil, Systems, and Franklin contracts.
 - b. **Civil: LMJV DBE Activities by Christa Seaberg (Slides 25-30)**
 - i. Christa shares LMJV's list of current DBE participation.
 - ii. Christa shares that the participation has plateaued due to slow down of work during the winter season, but still has many DBEs working on the project.
 - iii. Christa shares their DBE Highlight of the Month, which was several firms owned by woman in recognition of Woman in Construction Week. 10+ woman-owned DBEs are working on the SWLRT project. Over \$38 million WBE/DBE contract values Paid to date.
 - iv. Christa shares the LMJV DBE assistance update. This includes meeting with DBEs throughout the life of the project to assist them with items such as: invoicing, material and equipment, bonding/ insurance, and workforce development.
 - v. Christa shares LMJV's update on change orders thru 02/15, which was approved at \$199,307,110 and DBE job-to-date participation is at 20.65%.
 - c. **Systems: APJV DBE Activities by Chris Gannon and Mike Toney (Slides 31-35)**
 - i. Chris shares APJV's one month look ahead, which includes Material storage buildout in Golden Valley, delivery of TPSS 304 to the Golden Valley Warehouse, and work with Gunnar Electric and Public Solutions.

- ii. Chris shares a potential new DBE subcontractor that will be added to the project, Elite Fiber Optics, which will supply and install fiber optic cable.
- iii. Chris shares APJV DBE commitment plan, which includes an addition of \$1.4 million in DBE commitment since the start of the project.
- iv. Chris shares APJV's update on change orders, which are approved thru 02/1/22 at \$12,067,611, and DBE job-to-date participation is at 16.0%.

5. WORKFORCE PARTICIPATION REPORTING

- i. Question from Barb Lau: There were two new DBEs added onto the Franklin project last month that we did not discuss, could we get more information on that? They were Dziejdzic Caulking and Hydro-Vac. Looking at the last change order, they were deducted from the contract.
 - 1. Jon: I believe we covered this last September, but there was miscommunication between LS Black team and they had some staff changes. They ended up not utilizing hydro-van as they had initially intended, but they were able to get Hydro-vac onto a change order that occurred in November. That change order hasn't been reflected in the billing yet. Regarding Dziejdzic Caulking, I believe their scope of work, it was something that had occurred earlier on, and it also involved a change over in their staff where it was not communicated.

d. Workforce Participation Reports by Elaine Valadez and Brianne Lucio (Slides 36-47)

- i. Elaine shares the Civil workforce participation percentages. They are sitting at 27,787 hours for the month of January, with 1,897,356 total hours. To date, women are at 8.24% and POCI are at 23.35%. Overall, 0.64% are unspecified.
- ii. Elaine shares the breakdown of workforce participation hours by ethnicity/gender for Civil.
- iii. Elaine shares the cumulative workforce participation for the Civil contract.
- iv. Elaine shares the Civil Workforce Trucking Participation hours where MBE is at 26,639 hours, ZTS is at 4,372 hours, and Rock-On Trucks is at 1,375 hours.
- v. Brianne shares the Civil workforce participation disaggregated.
- vi. Elaine shares the Franklin &M Workforce participation percentage. They are sitting at 341 hours for the month of January, with 112,261 total hours. To date, women are at 8.89%. and POCI are at 23.22%. Overall, 4.59% are unspecified.
- vii. Elaine shares the breakdown of workforce participation by ethnicity/Gender for Franklin O&M.
- viii. Elaine shares the systems workforce participation percentage. They are sitting at 4 hours for the month of January, with a total of 2,795 hours. To date, they are at 11.41% for women, and 13.45% for POCI.
- ix. Elaine shares the breakdown of workforce participation by ethnicity/Gender for the Systems project.

e. Civil: LMJV Workforce Activities by Christa Seaberg (Slides 48-53)

- i. Christa shares some facts from 2021 about the project, including that the total number of trades people working on the SWLRT was 653, with 12% being female trades.
- ii. Christa shares LMJV's workforce activities for the month of March. This includes monthly SWLRT meetings, continual update meetings with LMJV representatives & Lunda field operations on upcoming hiring needs, and much more.
- iii. LMJV has upcoming workforce activities. This includes Dunwoody's Annual Construction Conference, Association of Woman Contractors Award Luncheon, working with BSC, and panel presentations & networking at Woman in construction week.
- iv. Christa shares some LMJV workforce activities pictures from the project.
- v. Christa shares new hires/ transfers for February 2022, which include 2 rehires, both white males, and 3 rehires, all white males.

f. Systems: APJV Workforce Activities by Mike Toney (Slides 54-55)

- i. Mike shares System's contract workforce activities. This includes the following to meet their workforce goal: APJV limited scopes available for craft labor through 2022, participating in Mock interviews at Summit Academy, and attending various meetings and "get togethers" to celebrate "Woman in Construction Week".

6. BUILDING STRONG COMMUNITIES UPDATE by Thomas Scott (Slides 56-57)

- a. Thomas shares that there are currently 43 BSC participants for 2022. 81% are Women, BIPOC, and Veterans.
- b. Thomas shares that they have the participation of 15 trade unions in BSC.
- c. They are currently in the process of 8 weeks of virtual training, including construction management and supervision. They also just wrapped up 4 weeks of emotional intelligence training with Twin Cities RISE.
- d. Thomas shares some more information on what the cohort will be going through during their training at BSC.

7. ADJOURN

- a. Ashanti adjourns the meeting at 3:58 pm.

Next Scheduled Meeting: April 21, 2022 from 2:00 - 4:00 pm