

Boston Employment Commission Hearing Minutes

A monthly hearing of the Boston Employment Commission (**BEC**) was held on Wednesday, October 16, 2019 at One City Hall Plaza, Conference Room 801, Boston, MA 02201.

Commissioners

Present: Commissioner Travis Watson, Commissioner Jorge Martinez, Commissioner Deborah Wright, Commissioner Charles Cofield and Commissioner Stephanie Everett

Hearing Begins: 1:00 PM

The order of the Agenda was changed to place Horizon Watermark at the end and Commissioner Watson disclosed his employment's interest in this project and will recuse himself.

I. MINUTES

September 18, 2019 minutes were accepted and approved.

II. SPECIAL PRESENTATIONS

A. Longwood Towers II

Duration: 6 mins.

Present: Ralph Cole (Wingate Companies), Steve Praught (Columbia Construction), Shelley Webster (In Order Business) and Robert Woodson (BRJP Monitor)

Project Overview

Buyout schedule was handed out to all Commissioners. **Commissioner Watson** asked if they had an understanding of the BRJP goals and if this was a union or non-union project. **Robert (BRJP Monitor)** stated this is a union project and because there is only enabling work, there is no reporting yet. It was stated by **Steve Praught (Columbia Construction)** that there was a mid-October start date for site work, but it was delayed and the project's construction schedule is now estimated at 16 - 18 months. **Shelley Webster (In Order Business)** was hired to manage workforce and compliance. This is not her first project with Columbia. She has posted walk-on mailbox on-site and has submitted applications to the City of Boston. **Commissioner Watson** asked if there was history. **Robert** stated that Columbia has a history of 1-2 projects. Columbia does not have any workforce on site. **Commissioner Watson** expressed to Shelley that she has shown impressive numbers from Casino project and commended her work. **Ralph Cole (Wingate Companies)** states he is looking forward to working with BRJP. **Commissioner Wright** asked to see the renderings. **Steve** explained that what we were seeing was basically a 6-story wood-framed construction with a courtyard, parking garage with front entrance on St. Alphonsus Street. **Robert:** 1st review will be in 5-6 months. **Commissioner Watson** encourages Columbia to keep lines of communication with Robert consistent.

B. Call Carolina

Duration 6 mins.

Present: Kristen Chin (Jamaica Plain Neighborhood Development Corporation), Matt Henzy (Jamaica Plain Neighborhood Development), Ben Joyce (Landmark Structures Corp.) and Robert Woodson(BRJP Monitor)

Project Overview

Kristen Chin (JPND): Affordable home ownership/rental split across 2 buildings. **Robert (BRJP Monitor)** expressed that Pre-con meeting will take place this Friday (10/18). He does have experience working with JPND. He does foresee challenges with female workforce. **Commissioner Watson** mentioned that last month JPND talked about a new approach on minimum wage continuing on this project and the approach to sitting down with community and stakeholders. **Commissioner Watson** said these are the kind of Developers we want and looks forward to first review.

Public

Janet Jones (Boston Jobs Coalition): Get started on the right foot. You will have to do a lot of due diligence.

C. Raffles Hotel

Duration 7 mins.

Present: David Lewis (Noannet Group), Jake Chace (Suffolk Construction), Vera Addi (Suffolk Construction), Patrick Blizzard (Suffolk Construction), Brooke Woodson (Suffolk Construction) and Manuel Barbosa (BRJP Monitor).

Jake Chace (Suffolk Construction): Project located at Trinity and Stuart Street in the Back Bay. This project is a 31 story hotel to include condos. This is a full union project. **Commissioner Watson** asked Manny what the conversation has been with GC. **Manuel "Manny" Barbosa (BRJP Monitor)** stated that Vera is a great compliance monitor and has been on-point. They've had the kick-off meeting and 1st pre-con meeting with subs will take place tomorrow (10/17). **Jake** stated they are in the middle of buying out and it will go until the 1st of the year. On site is J. Derenzo and Marr Scaffolding. **Commissioner Watson** asked if there are potential concerns. **Brooke (Suffolk Construction)** stated that this project will have the same challenges which is due to the shortage of labor in the city of Boston. Will have an aggressive approach to compliance. \$30,000,000 - concrete. \$2,000,000 - Structural Steel, Cheviot. **Commissioner Watson** asked about Cheviot. **Manny** stated that Cheviot will be a sub-contractor and more focus will have to be put on them. **Commissioner Watson** asked that Manny get workforce projections. **Commissioner Cofield** asked if the crew for Cheviot was composed of Laborers and Iron Workers. The response was yes. **Commissioner Cofield** stated other trades will have to be looked at, the carpenters are good.

Public

Janet Jones (Boston Jobs Coalition): None of the folks I live nearby will be able to take advantage of this housing. Set aside more housing in our community for folks in our community more than what's been committed to.

PROJECT REVIEWS

A. Orient Heights Phase Two

Duration: 30 mins.

Present: Sienna DeSantis (Trinity Financial), Beverly-Estes-Smargiassi (DND), Brooke Woodson (Suffolk Construction), Derrick Chery (Suffolk Construction), Margarita Planco (Suffolk Construction), Manuel Barbosa (BRJP Monitor).

Project Overview:

61,242 wkhrs, 28%BR, 47%POC, 6%F

Commissioner Watson: Any changes since submitting report? **Brooke (Suffolk Construction):** There is more information to be updated. The project is closer to 70% completion. **Commissioner Watson** commented to the Equity and Inclusion Director, Celina Barrios-Millner the necessity to find a way to get updated information before the BEC Hearing. **Margarita Planco (Suffolk Construction):** Suffolk has collaborated with the City and Unions to be a resource to the Orient Heights community by way of Job Fairs with Electrical and Carpenters and OSHA 10 trainings through which 2 young men have been helped to get in the carpenters union. In addition, Suffolk has held can/food drives. **Commissioner Watson** questioned payroll submissions in regards to smaller subcontractors' being more apt to submit late payrolls. **Brooke** agreed and gave an example of such. **Commissioner Watson** expressed the need to look at a more fair process for smaller firms. **Margarita** stated that Suffolk makes efforts to work with the smaller firms that need such support. **Commissioner Watson** asked what work is remaining. **Derrick Chery**

(Suffolk Construction): Finishing/Drywall, Painting, Mill work and Landscaping. Beyond peak as far as workers, and will start steadily declining. **Commissioner Cofield:** The Carpenters union always partners in job fairs including Section 3 hiring. If having problems with trades, and feedback from the other halls is that there's no people, have Building Pathways, Operation Exit and YouthBuild in the pre-con meetings, they have the skills. Suffolk calls the carpenters union hall and ask for help, we don't get calls from others in the program. This can be addressed before we get here. **Margarita:** We do use Building Pathways as our go to. Our team does a good job being a part of their meetings. **Commissioner Cofield:** Call me and let me put phone call out to hold people accountable. All contractors/workers under BRJP need your help. We have an eligible pool list (700) and (100) out of pre-apprentice program. **Commissioner Everett:** I hold you all more accountable than some of the smaller contractors. The community is more than backpacks. Suffolk could talk to kids and give exposure to what it's like to be in construction. Encourage Suffolk to be more impactful in economic growth. East Boston has always been overlooked. People have to be given tools (Encourage kids to get a degree and they can be a Brooke Woodson). **Margarita:** You're spot on with that. Derrick has spoken to students and at Boys and Girls Club. We have been doing it as a collaboration and should be doing it more. **Commissioner Everett:** Social Media spreads like crazy and is a better communication vehicle for young people. **Sienna DeSantis (Trinity):** Trinity is doing some outreach with young women in middle school. **Commissioner Martinez:** 30% left of the project and you're downsizing? **Margarita:** We will make sure to hold those numbers even though we will be ramping down. **Brooke:** Liberty is exceeding the goals? 64%BR, 27%POC, 23%F - 12 employees. **Commissioner Watson:** Thanks for raising that. **Margarita:** Little difficulty - focused on female/a chess match. **Commissioner Watson:** Realize it will be a little of a chess match. **Commissioner Cofield:** Have been to the site, can't keep someone there if they're not doing the job. It's not a temp agency - the goal is a 40 hour work week.

Public

Janet Jones (Boston Jobs Collaborative): This looks like a good project. I'm thinking of all the land opening up in East Boston. Citizens of East Boston need training and hiring. **Charles (Boston Resident):** Licensed plumber since 2008 - non-union. Unemployed for a number of months and looking for work. **Barry Keating (Local 12, Plumbers):** Happy to offer this gentlemen a spot in the local once we verify his license. **Commissioner Watson:** This is what it's about! Thank you Barry.

B. 135 Morrissey Boulevard

Duration: 23 mins.

Present: Steve Logan (Nordblom Development), Karen Blessington (JMA), Kate Blessington (JMA), Joel Dyson (JMA) and Vargas DaSilveira (BRJP Monitor).

Project Overview:

61,045 wkhrs, 33%BR, 34%POC, 9%F

Joel Dyson (JMA): Hired a female laborer, person of color and Boston resident - she started on Tuesday. **Commissioner Watson:** Any supplemental information? **Karen Blessington (JMA):** This is the last month's requisition (**submitted hand out to Commissioners**) to give you an idea - currently at 35% POC (**up 1%**). This week they did put a female on. This is one of our better jobs. Residents could be better. We do struggle with residents. Subs are pretty good. Vargas is great and has meetings on-site and saves us work getting verifications. **Commissioner Watson** suggested that BRJP create a requisition template from JMA's handout. **Karen** commented that JMA did pretty well with females on this project. **Commissioner Watson** commented that the letter submitted in the report seemed to reference outreach to Building Pathways for female support and suggested that Policy Group on Tradeswomen's Issues (PGTI) be another resource to reach out to. **Commissioner Cofield** mentioned that he spoke with Finn and Eric of JMA - they are on the same page and stated it helps to have signatory contractors. He asked what's the remaining percentage of work. Response was 75% - working on exterior (facade and site work). **Joel Dyson (JMA):** Will get list of subcontractors bought out to Vargas. JDC Demo has wrapped up and unfortunately unsatisfying numbers can't be corrected. **Commissioner Cofield** commented that as shown earlier, Plumbers are hiring on the spot. **Commissioner Watson** stated that JMA brings the story behind the numbers. **Karen** expressed that it's hard to explain verbally sometimes and the requisition form is what they use to help capture the work. **Commissioner Watson** asked about J & M Brown Electrical - 37 workers. **Karen** stated they are doing good on this project but on Parcel G they could be doing better. She further stated JMA doesn't like holding money, but has a procedure in place to withhold payment. She sees subs working to try and make things better and referenced Barry Keating's example. People are more eager to give back to Boston and JMA firmly believes in

that. **Commissioner Cofield** recommended that JMA continue to use their numbers as a model. **Joel** stated JMA recently added new requirements to subcontractor agreements which works to get Business Agents to come to Pre-con meetings and not sure how successful they've been at confirmation on request to the halls. **Karen** commented that they are no where without the unions. **Commissioner Cofield** recommended that when having a kick-off meeting, say your giving out assignments and they will be there because they don't want to lose work.

Public

Ronnette Taylor (FireCode Design LLC): She is a minority-women owned business (non-union). Looking for an opportunity to be a team player. Services include: HVAC/Plumbing, Fire Protection and Cooling Towers. I've knocked on everybody's door. I can take a female and train her. **Commissioner Watson** expressed that hopefully JMA can connect with her. **Janet Jones (Boston Jobs Coalition):** I just want to confirm if JMA's next project is DOT Block and if starting ground-work December 2020. If so, the community would like to have a pre-con meeting. **Karen:** We talked previously and I gave you the contact information. Give me your card and we can put you in the loop. **Joel:** Mid 2020 - breaking ground (2nd quarter 2020). **Barry Keating (Local 12 Plumbers):** Moriarty's been a great partner. Limback pro-active - old contract (Hancock Tower). American Plumbing put the guy that was here earlier on. **Karen:** We need help with them too. **Commissioner Cofield:** Is Save-on Wall using their partnership? **Karen:** No, LLAMA.

C. Boston Arts Academy

Duration: 19mins.

Present: Nicole White (Lee Kennedy Company), Joe Berry (Lee Kennedy Company), Albert Batrakoff (Lee Kennedy Company) and Claudette Austin (BRJP Monitor).

Project Overview:

22,009 wkhrs, 24%BR, 51%POC, 8%F

Lee Kennedy rep: Job had little to no work for the better part of Summer, due to hazardous soil cleanup expected to continue through 12/2020. Will ramp up this Fall starting with Piles and concrete work. **Commissioner Watson:** Lee Kennedy's self performing numbers doesn't seem in line with what I know Lee Kennedy for. What happened on this project? **Lee Kennedy rep:** 1 laborer on site before shut down. Our self performance will improve in the upcoming phase as we ramp up. This project is super high profile and we do not anticipate letting the community down. **Commissioner Watson** stated that the Hayward Baker letter (dated 10/3/19) had a tone that was annoying and dismissive on getting resources. **Nicole White (Lee Kennedy Company):** In a recent meeting with Hayward Baker, I spoke with Jason about Best Faith Efforts. If you see this letter as dismissive, I will bring that to their attention. Because of site conditions, we payed for trainings (14 people, 1BR, 1POC, 1F). The asbestos training (16 hrs) was offered to the contractors. DEP standards required this training or the work couldn't be performed. This was totally unexpected when we got into the soils. **Commissioner Wright** asked Nicole if she was comfortable, being new to Lee Kennedy? **Nicole** expressed she is comfortable and felt with the current slow pace of job, she's getting acclimated to compliance responsibilities. **James McQueen (Public Facilities Dept.):** Over the last 9 months, Lee Kennedy has been meeting with Madison Park High students with the goal to expose the students to construction. **Commissioner Cofield:** Is that part of the Co-Op program? **Lee Kennedy rep:** Yes, Internship Program. **Commissioner Cofield:** Phone calls are necessary, if you have need. Do you have buy out list? There's no more Women Business Enterprises attached to Federal Concrete? **Lee Kennedy rep:** Correct. We're 60% bought out. **Commissioner Cofield:** 100% union? **Lee Kennedy rep:** Not all union contractors (Wayne Griffin is non-union).

D. Horizon Watermark

Duration: 15 mins.

Present: Lee Goodman (Watermark Inc.), Ted Nevells (Commodore Builders), PK Nelson (Commodore Builders), Kelly Thompson (Commodore Builders) and Manuel Barbosa (BRJP Monitor).

Project Overview:

32,666 wkhrs, 36%BR, 48%POC, 7%F

Commissioner Watson recused himself (his employer, MHIC has interest in this project)

Commissioner Martinez chaired over this project.

Commissioner Cofield: This project has 25% remaining, but the building still appears open? **Lee Goodman (Watermark Inc.):** Our contract states we monitor shell of project. Each tenant is required to contract for their fit out. There are 6 floors. YouthBuild has a floor at 15,000 sqft. Estimated completion is 4 months. **Commissioner Martinez:** Once they are done, it's out of our purview? **Manuel (Manny) Barbosa (BRJP Monitor):** Yes. **Commissioner Cofield:** I have concerns about fit outs. I was there the other day. It's a big building and we should be making sure Horizon provides opportunities and not outside companies brought in. Be aware of the work history of those brought in. **Lee Goodman (Watermark Inc.):** This is new for us as far as the scale. Fit outs are not my decision. The tenants are in agreement. YouthBuild will be employing their own. Horizons has 2 and we have 4 - 2 rented and 2 vacant. **Commissioner Cofield:** Will you sit down with us? **Lee Goodman (Watermark Inc.):** Ok, I hear you. **Commissioner Martinez:** Commissioner Cofield will you connect on that? **Commissioner Cofield:** If they call. **Manny:** Under the New Ordinance, they have stayed in compliance. Commodore has taken accountability to show they care. I was initially concerned, but it's been successful. There are a few more pre-con meetings through December.

Public:

Janet (Boston Jobs Coalition): Commodore is building a Charter school on Columbia Rd. Will stop by trailer to check-in.

III. DIRECTOR'S REPORT:

Duration: 8 mins.

Celina Barrios-Millner (Equity and Inclusion Director): BRJP will only accept Best Faith Effort/Compliance Effort documentation up to the week prior to the BEC Hearing to be included in the BEC report and considered at the BEC Hearing. BRJP is up to date with data on our end. Suffolk Construction and their subs will train next week for Salesforce and the piloting will begin next week. On 10/24/19, we will begin an Energy Efficiency work series of trainings with Realize Boston - Contractor Academy partnership (Electrical/Mechanical). **Commissioner Cofield:** Where do we stand with percentages of MBE/WBEs? **Celina:** Need to increase our pool. If the business is not certified, we can't help. We are working to increase. **Commissioner Cofield:** Are we looking at joint venture with larger contractors? **Celina:** We need a better system of doing that. We try to through opportunity fairs. We had Suffolk and Janey do that. **Commissioner Martinez:** What is Salesforce status? **Celina:** We haven't gone live, will keep you posted. **Commissioner Wright:** Were you able to connect with Leo at Wentworth? **Celina:** No, we weren't able to make that connection.

Director's report accepted.

Hearing adjourned at 3:03 pm.