

WASHINGTON PARK RESERVOIRS

ACCEPT HOFFMAN GUARANTEED MAXIMUM PRICE

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Charles JOHNSON	on Fyle	uKnow
✓ Dee Whitt	3830 SE 49 <sup>th</sup> portland OR 97206	deewhite1@mindspring.com

## Testimony Portland City Council Agenda Item 554

May 25, 2016

Mayor Hales, Commissioners, Mr. Miller and Mr. Rust,

I am adamantly opposed to moving forward with the WA Park Reservoir Demolition contract award to Hoffman Construction. This demolition decision is in litigation, as Council is aware of - *Court of Appeals Case No. A161776.*

*Fernandez v. City of Portland*

### **Council Agenda item reads:**

**554** Accept Guaranteed Maximum Price of \$152,181,850 from Hoffman Construction Company for the construction of the Washington Park Reservoirs Improvements Project (Procurement Report – RFP No. 115122) 30 minutes requested

This is an offensive bullying tactic by our lame duck Mayor and our unethical, dishonest Commissioners on behalf of their crony partners at Hoffman Construction, CH2MHill, AECOM, Cornforth, Peter Meijer Architects, MWA Architects, Winterbrook Planning, JLA Public Involvement et al and most importantly, the City's own profit center, the Water Bureau. These crony contractors, politicians and well-heeled city employees are simply not going to walk away from this much money, no matter the cost to ratepayers in terms of their physical health and financial security. It's ALL about money, winning and vindication; not health, not safety, not leadership, not good governance.

The retail ratepayers –not the wholesale ratepayers such as Hillsboro –the retail ratepayers - that would be water users large (like the Hilton ~~or~~ OHSU) and small (like myself and most people in this chamber) are looking at being held responsible for paying \$152 million for a likely future boondoggle in Portland's crown jewel park and we are as mad as hell about it, not to mention being fearful for the public health and safety of ourselves and our children. We're looking at shredded streets including Burnside and all of the streets in WA Park, dirty diesel truck pollution from 30,000 dump trucks, six years of road closures, vibrations,

shaking, noise, pollution, not to mention destroying the functioning open reservoirs based on false and unsupportable findings by our failed Mayor and our weak, unprincipled City Councilors. Currently the Water Bureau is \$610 million dollars in debt. Add another \$152 million plus millions most certainly guaranteed in overruns and we're looking at \$762<sup>at least</sup> million that the ratepayers will be responsible for once this contract is issued. Rate increases in perpetuity will be the legacy to our children from this 15 year debacle of unnecessary infrastructure construction and pet projects courtesy of our Mayor, our City Council and our Water Bureau.

Citizens are challenging in the courts this stupid, irrational decision to demolish our open reservoirs. It is reckless and irresponsible for the Office of Management and Finance to be putting forth this enormous contract at this time.

Please do not continue this process until it is settled in the courts. It's what the citizens of Portland want and deserve.

Sincerely yours,

Dee White  
3836 SE 49th Ave.  
Portland, OR 97206

PS Our water rates just went up 7%; the base charge on the Water Bill went up another inexplicable 7% and today, you are giving yourselves and management a pay raise. Agenda item 556. With all of the discord and frustration among the citizens of this city because of y'all's actions or inactions, it is simply astounding that you feel like y'all deserve a raise.

Submitted by  
Kelly Haines  
5/25/2016

To: Portland City Council  
1221 SW 4th Ave, Portland, OR 97204

May 25, 2016

CC: Portland Water Bureau, Procurement staff

From: Metropolitan Alliance for Workforce Equity (MAWE) and Community Partners

Dear Portland City Council,

Thank you for engaging in a positive and productive process with MAWE and our partners regarding the development of a Community Benefits Plan (CBP) on the Washington Park Reservoir Improvement Project. The overall experience built trust and goodwill. We are interested in continuing to partner with the City along those lines to develop a meaningful template that includes all necessary components in the future. We are happy to continue to work toward that end.

Although the process was positive, we still have serious concerns about the ability of the CBP to achieve the stated equity and diversity goals, because it lacks the key mechanisms and delivery tools for success. Namely, a signatory component with all partners, including and especially labor unions, in order to be successful. We believe that, without this key mechanism, the policy will struggle to deliver real impact for the community. We do applaud the Water Bureau and staff on engaging and improving the Plan as much as they saw was possible with their perceived constraints, but we do not support it as written because without some critical components, we don't see it able to hit the same or better outcomes that the Community Benefits Agreement (CBA) pilot projects were able to accomplish.

We believe that building upon the success of the CBA pilots is a good way to go, and are happy to continue to work with the City as this project develops to course correct as needed and provide input and recommendations.

As your own CBA evaluation found:

- (pg. 1, pg. 20, and pp. 31-32) Union engagement is critical to achieve the equity and diversity goals set forth.
- (pg. 1) The CBA creates a mechanism for holding contractors, subcontractors and stakeholders accountable for goals and active compliance monitoring.

We, the signed leaders and organizations, request that the City achieve equitable outcomes for diverse community members by holding this development to a high standard, which includes: (1) true partnership between City, community and labor partners; (2) transparency in process, strategy and outcomes; and (3) shared oversight and accountability measures where all parties (community, labor, contractors) are accountable for delivering on contracting and workforce equity goals. We believe the City's existing efforts and project goals regarding utilization of disadvantaged, minority, women and emerging small businesses (D/M/WBE and ESB), as well as the workforce diversity goals, are a good place to start, but lack key mechanisms that are critical to success.

We recommend the City consider aligning the 1% of hard construction costs more closely with the construction project itself. Proactive planning with City, community groups, labor, contractors and workers will help to leverage these funds to achieve the project’s contracting and workforce equity goals. Please consider utilizing these funds to support activities that connect historically underrepresented populations with economic opportunities in the construction trades, including:

- Support screening and recruitment of interested and qualified jobseekers into the trades
- Support pre-apprentice cohorts to gain the skills needed to enter the trades
- Fund needed credentials, equipment and other tools to enable jobseekers to be more competitive in the construction trades, including driver’s licenses, work boots, bus passes, etc.
- Coordinate technical assistance that is responsive to D/M/WBE contractor needs, so they can be competitive when they bid on this and other public projects
- Support broader community benefits that are closely related to the project, such as connecting workforce and economic opportunities to initiatives being led by members of the Coalition of Communities of Color and other current community efforts

The City already has an effective tool in the Community Benefits Agreement (CBA), which the City could use immediately to align project activities with the insight and resources of community stakeholders. The CBA was approved by City Council in September 2012 (Resolution 36954), and has achieved excellent results to date, as the recent CBA Evaluation found:

**Exhibit C.1 – CBA Pilot Project Performance against Goals**

	Goal	Interstate	Kelly Butte
% of apprentice work hours - minority	18%	38.1%	50.3%
% of apprentice work hours – women	9%	33.7%	28.2%
% of journey work hours – minority	18%	21.9%	28.9%
% of journey work hours - women	9%	<b>3.4%</b>	<b>6.2%</b>
% of hard construction costs to M/W/DBE/ESB firms	22%	37.4%	22.2%
% hard construction costs to M/W/DBE firms	12%	33.4%	21.8%
% of covered work hours filled by registered apprentices	20%	21.2%	22.6%
% of employers’ workforce hired from areas designated by the Federal Small Business Administration as Historically Underutilized Business Zones ("HUBZones") within the Portland Metropolitan Area	10%	13.1% <sup>9</sup>	12.4% <sup>10</sup>

*(CBA Pilot Evaluation, Framework LLC, 5/9/16, pg. 19)*

By applying the CBA to this project, the City could ensure the project is structured to enhance City-community partnerships, and realize tangible community benefits for all Portlanders. We are concerned that the City is missing an opportunity to set a high standard in partnership with the community. Instead

of recreating the wheel, we recommend you seriously consider applying a modified CBA to the Washington Park Reservoir project.

Thank you again for the opportunity to provide input and recommendations. We look forward to continued work together.

Best regards,

MAWE and Community Partners