



CONTRACT MONITORING DIVISION OFFICE OF THE CITY ADMINISTRATOR



Local Business Enterprise Advisory Committee (LBEAC) April 7, 2022 Meeting Minutes

1. Call to Order/Introduction

Chair Galarza called the meeting to order at 10:05 a.m.

Committee Members Present: Matthew Ajiake, Juliana Choy-Sommer, Darolyn Davis, Elahe Enssani, Miguel Galarza, Bruce Giron, Dwayne Jones, Sailaja Kurella, Queena Lu, Stephanie Tang.

Committee Members Absent: Greg Lyman, Wayne Perry, Todd Senigar.

CMD Staff Present: Romulus Asenloo, Regina Chan, Daniel Guarente, Mindy Lee, Vivian Liu, Ivan Oldenkamp, Linda Rainaldi, Kate Svyatets, Nichole Truax, La'uton Wells.

Other City Personnel: Ronald Alameida, Public Works; Kyndra Cox, SFPUC; Ivy Fine, SFPUC; Patrick Mulligan, Office of Labor Standards Enforcement; Jeff Pomrenke, City Controller's Office; Tiffany Tatum, SF Port; Tam Tran, SF Planning; Kevane Wong, Office of the Controller Systems Group.

Members of the Public Present: Noelle Bonner, Bonner Communications.

2. F&P Presentation: New Updates to the Program

a. Kevane Wong provided the following updates:

- i. The partner request process has been improved on SF City Partner.
- ii. All requests handled online now.
- iii. There are now filters for subcontracting opportunities and identifying debarred and suspended contractors.
- iv. Project team and payment affidavit functionality are being changed to accommodate multi-phased contracts such as design build, CM/GC, JOC, and As-Needed; changes will go live on April 21, 2022.
- v. Updates have been made to the supplier portal, and more will be rolling out late April.
 1. Fields have been added for supplier HQ for 12X compliance.
- vi. Dashboard has been added for awarding departments to monitor when their contracts are approaching the threshold value which necessitates Board of Supervisors approval.
- vii. There will be a design session consultation with Inflight in May to discuss the SF City Partner website.

b. Comments and Questions from Committee Members:

- i. Darolyn Davis asked about how the switching of banks by the city will affect payments to contractors.
 1. The ACH vendor is changing and the new platform is well established, so transition is expected to go smoothly, but suppliers may need to update payment details afterwards.
 - ii. Stephanie Tang asked about LBEs who haven't submitted their 12X compliance yet.
 1. The firms who haven't submitted it yet are a mixture of LBEs and non-LBEs and the committee is encouraged to help reach out to firms who are still outstanding.
 - iii. Chair Galarza asked about whether Kevane Wong is a designated LBE liaison at the Controller's Office.
 1. Kevane Wong works on sourcing events and bidder/supplier experience; he works frequently but not exclusively with LBEs.
3. San Francisco Planning's Presentation: Transportation Element
 - a. Tam Tran, senior planner at the SF Planning Department, provided the following updates:
 - i. The transportation element sets policies on transportation and guides development project approvals in order to make San Francisco livable and economically successful.
 - ii. The City's commitments and goals are vision zero, climate action, racial and social equity.
 - iii. Feedback from the public so far mentioned affordability, too much traffic, crowding, pedestrian and bicycle safety, and lack of connections.
 1. There is a citywide online survey up now at www.connectSF.org/survey
 - b. Comments from committee members:
 - i. Dr. Enssani asked about how the transportation element is going to be implemented in terms of CEQA and Chapter 31.
 1. The general plan sets the policy foundation so other codes including Chapter 31 and the planning code have to adhere to it.
 - ii. A committee member asked about the success of Better Market Street.
 1. Better Market Street has been operational since February 2020, but the last two years of pandemic has made it hard to assess.
 - iii. Chair Galarza asked about congestion pricing downtown and how that might affect contractors working on multiple jobsites.
 1. Proposed pricing has not been finalized. Any proposal will be subject to review by members of the public.
4. Discussion on City Project Labor Agreement
 - a. Patrick Mulligan, Director of OLSE, provided the following updates:
 - i. The City's Project Labor Agreement ("PLA") affects only certain DPW and RPD projects, as general and enterprise fund departments have their own agreements.
 - ii. Projects over \$1 million which are funded by general obligation or revenue bonds are subject to the PLA.
 1. OLSE representatives attend all pre-bid and pre-con meetings to educate primes.
 - iii. Certified LBEs with less than \$5 million in billings on covered projects are exempt.
 1. This figure is cumulative and is tracked by the Controller's Office.

2. Amounts paid by LBE primes to their subs count towards this total as well.
 - iv. Non exempt LBEs will need to use the trade union hiring halls as required by the PLA.
 - b. Comments from committee members:
 - i. Juliana Choy-Sommer asked about the difficulties for LBEs to understand the new requirements, taking into consideration the other myriad requirements for contracts.
 1. OLSE provides support to LBEs with compliance. OLSE also may present to the LBEAC on how to use the trade union hiring halls.
 - ii. Chair Galarza asked about the composition of the dispute resolution board.
 1. The board is made up of three representatives from the City and three representatives from the building council, the City representatives are typically made up of one representative from Public Works, one representative from Recreation and Park, and one representative from the City Administrator's Office.
5. Updates from LBEAC Subcommittees
 - a. Bruce Giron provided updates on the Neighborhood Preference Program subcommittee:
 - i. The subcommittee has settled on a definition for locality that is based on zip code and supervisory district.
 - ii. Three area codes are being targeted.
 - iii. Outreach has been conducted to San Francisco Latino and Black contractors to help define "Covid-impacted areas".
 - iv. Two projects have been identified and suggested to CMD as suitable for the pilot.
 - b. Dwayne Jones provided the following updates on the Trucking subcommittee:
 - i. The subcommittee received feedback from LBE trucking representatives.
 - ii. With the help of the Controller's Office, a survey was sent out to every LBE trucking firm in the database about how to get more work for LBE truckers.
 - c. Comments and Questions from Members of the Public on the topic of Subcommittees
 - i. A member of the public asked about LBE primes having to subcontract out to other LBE primes as part of City requirements.
 1. Director Asenloo explained the LBE sub requirement to the commenter.
 2. The CCO assigned to the commenter's specific contract will follow up to assist.
6. Review and Approval of the February 3, 2022 LBEAC Meeting Minutes
 - a. Bruce Giron, seconded by Elahe Enssani, moved to approve the February 3, 2022 LBEAC Meeting Minutes.
 - i. Ayes: Ajiake, Choy-Sommer, Enssani, Galarza, Giron, Kurella, Lu, Tang.
 - ii. Abstain: Darolyn Davis, Dwayne Jones.
7. Potential Future Agenda Items
 - a. Dr. Enssani suggested future discussion about how stock options or ownership stakes for employees may affect a firm's ability to be certified as an LBE.
 - b. Chair Galarza suggested a future discussion about how to catalog and inform LBEs about prime contractors who have continually not met their commitments to LBE subs.

8. Staff Report/Public Comment

a. Director Asenloo introduced Jeff Pomrenke from the Controller's Office.

i. The Controller's Office is helping document changes to Good Faith Outreach and the Mentor Protégé Program as well as the creation of 2 new pilot programs, Micro-LBE Trucking and Neighborhood Preference Program.

1. Feedback has been solicited from awarding departments and the City Attorney's Office, and next up are prime contractors and then presentation to the LBEAC.

9. Adjournment

Meeting adjourned at 11:37 a.m.