



## MEETING SUMMARY: Disadvantaged Business Enterprise & On the Job Training (DBE/OJT) Community Opportunity Advisory Committee (COAC)

MEETING DATE: May 20, 2019  
 MEETING TIME: 5:30-7:30PM  
 LOCATION: Billy Webb Elks Lodge  
 6 N Tillamook St, Portland, OR

**PARTICIPANTS:**

COAC MEMBERS:	Faye Burch (Professional Business Development Group), Michael A Burch (Carpenters), Gil Carrera (Latino Built), Gale Castillo (Hispanic Chamber of Commerce), Christine Chin Ryan (Synergy Consulting), Art Cortez (Latino Built), Lee Fleming (Multnomah County), Stephen Green (Pensole Inc.), Joe McFerrin II (Portland Opportunities Industrialization Center), James Posey (JLP Business Group)
OREGON DEPT. OF TRANSPORTATION (ODOT)	Megan Channell, Shelli Romero <i>Owners' Rep Team:</i> Mike Baker, Kirstin Pennington <i>DBE/OJT Team:</i> André Baugh, Amber Ontiveros
PORTLAND BUREAU OF TRANSPORTATION (PBOT)	Caitlin Reff
FACILITATION TEAM	Johnell Bell (Facilitator, Espousal Strategies), Susan Hayman (Scribe, Envirolssues), Janel Hull (Notetaker, Envirolssues)
PUBLIC OBSERVERS	Ted Aadland (Hamilton Construction), Nate McCoy (NAMC Oregon), Kelly McNutt (Kiewit), Brad Sullivan (Hamilton Construction), Jeana Woolley (JM Woolley and Associates)

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<sup>1</sup> Note: Appendix 1 contains the transcribed flip charts recorded during the meeting.



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**1. MEETING OBJECTIVES:**

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- Orient the committee on I-5 Rose Quarter Improvement Project goals, timelines, unique characteristics and expected outcomes.
- Collectively determine a shared understanding of DBE and OJT and other key terms.
- Review committee purpose and guiding principles.
- Understand parameters for the Project-specific DBE and OJT program.

**2. WELCOME AND INTRODUCTIONS**

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**2.1 Welcome**

Johnell Bell, Facilitator, welcomed the Community Opportunity Advisory Committee (COAC) members, agency staff and support, and public observers to the second COAC meeting for the I-5 Rose Quarter Improvement Project. He reviewed the agenda and outlined the process for asking questions.

- **Committee Member Question:** Some of the names of committee members who attended previous events are not on the list of invitees, did some of them get 'fired'?
  - **ODOT Response:** ODOT is continuing to cultivate relationships with new committee members that would be a good fit for the list. In the future, staff will make sure to capture all committee attendees at meetings.
  - **Action Item:** Ensure all committee members present at meetings are added to the list of attendees.

**2.2 Introductions**

Johnell invited COAC members to introduce themselves with their name and current position. Attendees went around the table sharing introductions.

**3. REVIEW 4/23/2019 MEETING NOTES**

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**3.1 Committee Review of Meeting Notes**

Johnell asked each committee member to take a few minutes to review the meeting notes from the last committee meeting. He asked those that participated in the previous meeting if the summary captured what they discussed.



### 3.2 Committee Discussion

- **Committee Member Comment:** A comment was not noted. If project construction begins soon, there needs to be a runway now. ODOT needs to build capacity for contractors to get the job done by sourcing workforce members directly from the community. The meeting notes need to be amended to ensure comments about the industry pipeline are captured.
  - **Action Item:** Amend the last meeting notes to include the previous comment.

## 4. OVERVIEW OF I-5 ROSE QUARTER IMPROVEMENT PROJECT

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### 4.1 ODOT Presentation on Project Benefits

Megan Channell, Project Director from ODOT, provided an overview of the I-5 Rose Quarter Improvement Project. Her high-level summary of the project benefits included:

- Providing a unique opportunity for transportation below and above I-5 that can serve as a catalyst for future developments and vision for the Central City 2035 plan.
- Adding auxiliary lanes between I-84 and I-405 to make sure the traffic does not have to merge within two through lanes.
- Adding full shoulders. Currently, there is not space for an emergency vehicle or larger vehicles to pull off of through lanes.
- Relocating the I-5 southbound onramp located by the Moda Center at Williams, Ramsay and Weidler. It would be relocated to intersection of Williams and Weidler. This would help manage congestion by making the ramp longer. It would also improve traffic congestion on local streets by limiting the number of intersections highway drivers would have to go through before entering the highway.
- Making some local street improvements. Highway covers will be added on top of I-5. ODOT's intention of working with the community to develop these covers was to create reconnection in a community that was divided when I-5 was built. In addition to covers, ODOT plans to add a new community space, bike lanes and new pedestrian infrastructure.
- Adding the Hancock Dixon Crossing.
- Modernizing bike facilities, pedestrian facilities and stormwater facilities.
- Building a new bicycle and pedestrian only bridge, that crosses at Clackamas, that will add an active transportation connection into Rose Quarter.

Caitlin Reff, Project Manager at PBOT, said it is rare to have state highway funds that can be used on a local street level. City of Portland wants to leverage this project to realize a community vision. It is important to work with stakeholders and community groups to make this vision possible.

### 4.2 ODOT Review of Project Timeline

Megan explained that the project is currently in the design phase, as it transitions from the NEPA phase. Construction will occur as early as 2023 and is expected to run through 2027.



### 4.3 ODOT Review of CM/CG Model

Megan explained that ODOT will institute a Construction Manager/General Contractor (CM/CG) model for this project, which is a new delivery model for ODOT. ODOT plans to hire contractors early in the design phase to help with both constructability conversations and engaging the community in design decisions. This new model will help ODOT think strategically about how to build wealth in the community.

### 4.4 Committee Discussion Themes

The following key themes emerged from the committee discussion of this topic:

- ODOT should be intentional and aggressive about addressing racism.
- ODOT should have a plan for workforce development and education, not simply DBE contracting.

### 4.5 Committee Discussion Q&A

The following text summarizes the questions, responses and comments captured during the committee discussion:

- **Committee Member Question:** What will the approach to inclusion be on this project? Will it be a typical ODOT project where it is limited to DBE participation? Or will ODOT be serious about engaging minority owned businesses?
  - **ODOT Response:** Bringing in local small community businesses is critical. ODOT historically has not done a good job of inclusion. ODOT needs to be more intentional. The Black community was displaced due to ODOT's construction of I-5. Because of this history, ODOT needs to do a better job of making sure that communities of color are engaged in the process. ODOT staff are open to feedback on how to best do that.
- **Committee Member Question:** Will this project be rendered neutered due to the Federal Highway Administration (FHWA) requirements and restrictions? Or will ODOT be intentional about including minority groups in the project?
  - **ODOT Response:** ODOT is committed to being intentional.
- **Committee Member Comment:** The only way to change racism is to change it. ODOT should be aggressive about getting this done in an equitable manner instead of sitting around a table talking about it. ODOT needs to make changes regarding equity and inclusion now.
- **Committee Member Comment:** This committee should focus on workforce development as a whole, not just DBE contracting.

## 5. COAC PURPOSE AND CHARTER

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### 5.1 ODOT Presentation on COAC Purpose and Charter

Appendix 2 contains the COAC Purpose and Charter presentation.



Megan shared that the COAC committee is a critical element of the project structure and is designed to provide important feedback to ODOT. She summarized:

- The ODOT team wanted to do something new for this project considering its unique history. It is uncommon to have a DBE committee or CM/CG process for ODOT projects.
- ODOT has been a part of the harm of displacing Black/African Americans during the construction of I-5.
- ODOT appreciates people coming to the table and trusting them to do better.
- ODOT has convened the COAC to listen to community recommendations and share them with staff and decision makers to ensure there are diverse perspectives.

## 5.2 List of COAC Goals

Amber and Andre shared an overview of the COAC goals:

- Strive for consensus recommendations on:
  - Guiding principles
  - Performance indicators
  - Community outreach
  - Technical assistance
  - Reporting (formats, forums and content)
- Conduct 4-6 meetings over an 18-month period
- Focus meetings on opportunities for minority utilization during construction
- Convene a committee of 20-25 members who are community leaders

## 5.3 Committee Discussion Themes

The following key themes emerged from the committee discussion of this topic:

- ODOT needs to be more transparent by capturing and sharing detailed meeting notes.
- ODOT has a culture that is exclusive. That culture needs to change for DBE/OJT work to be meaningful.

## 5.4 Committee Discussion Q&A

The following text summarizes the questions, answers and comments from the committee discussion:

- **Question:** What is the ODOT DBE/OJT process? What are the mechanisms of establishing a goal for workforce development?
  - **ODOT Response:** Amber will cover this in another presentation. This question will be tabled until then.
- **ODOT Comment:** If committee members have a conflict of interest, please identify that with ODOT. This is designed to protect contractors and committee members.
- **Comment:** At the previous COAC meeting, the committee extensively discussed the culture at ODOT. ODOT has many barriers to overcome before having a culture that is



inclusive to people of color. If the policies and practices at ODOT do not change, then the conversations this committee has are pointless. ODOT has a culture that many people do not want to work in, especially DBEs. This comment was not included in the meeting notes; those notes need to be amended to include the discussion around ODOT's culture.

- **Action Item:** Amend April committee meeting notes to reflect comment about ODOT's culture.
- **ODOT Comment:** The team omitted some detail from the notes from the committee meeting summary to be sensitive to the fact that the RFP would be released to contractors soon.
  - **Committee Member Response:** ODOT needs to be more upfront, not subliminal.
  - **Committee Member Response:** ODOT needs an ongoing practice for ensuring people of color are respected in the workforce.
  - **Committee Member Response:** ODOT is not being transparent by amending meeting notes. It is important that someone is taking notes so that comments are captured and shared.
  - **Action Item:** Ensure a detailed meeting summary is provided for each meeting going forward.

## 6. REVIEW OF GUIDING PRINCIPLES

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André and Amber provided an overview of guiding principles for DBE/OJT work. They outlined that the vision for the DBE/OJT program is to create and spur more wealth development among local minority contractors.

- Build the capacity of minority businesses for current and future projects.
- Build capacity in local underrepresented populations to meet local construction workforce needs.
- Further minority businesses' expertise to be successful with project subcontracting opportunities.
- Increase local underrepresented populations skills/access to construction trades.
- Provide technical assistance and certification for Disadvantaged Business Enterprise (DBE) firms and workforce providers to access underrepresented local populations.
- Provide new opportunities and facilitate new relationships between minority subcontractors and primes.
- Maximize trade opportunities at all levels for local minorities as part of the Project.
- Enhancing relationships between ODOT/City of Portland and the local minority business community.
- Constitute a DBE/On-the-Job Training (OJT) Advisory Committee of local community members to provide recommendations on DBE/OJT project development.



**Committee Member Question:** Is there a set percentage for DBE sub-contractors?

- **ODOT Response:** There is not now but it is currently in development – the CM/GC RFP will include a range for DBE goals, with the set goals established at the 60% design phase. ODOT plans to make the percentage as high as possible, while still being attainable.

## 7. COMMUNITY GROUPS ENGAGED

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Appendix 3 contains the Community Groups Engagement presentation slides.

Amber noted that it is key for ODOT to incorporate community recommendations on how the CM/GC specifications are developed. She shared a list of the committee groups the DBE/OJT team consulted.

- Professional Business Development Group (PBDG)
- Oregon Association of Minority Entrepreneurs (OAME)
- National Association of Minority Contractors (NAMC)
- Ministerial Alliance
- COAC
- LatinoBuilt

### 7.1 Committee Discussion Themes

The following key themes emerged from the committee discussion:

- ODOT should meet with more community groups while developing recommendations for the project. They should also partner with Prosper Portland.
- ODOT should develop DBE contracting goals, compliance methods and a process for risk audits.
- The project focuses on addressing the legacy of harm that the construction of I-5 had on the Black and African American community. The project will contract with minority owned businesses, while putting an emphasis on engaging the Black and African American community.
- Some committee members are concerned that the emphasis on the Black and African American community will be discriminatory to other communities of color.

### 7.2 Committee Discussion Q&A – Community Groups

The following text summarizes the questions, answers and comments from the committee discussion:

- **Committee Member Question:** Is that all the workforce programs ODOT has met with?
- **Committee Member Question:** Were COAC comments and recommendations from the last meeting incorporated into these recommendations?
  - **DBE/OJT Team Response:** If there seem to be omissions, please tell the DBE/OJT Team. The team tried to capture the intent behind each comment that



committee members made. Just because this information is presented today doesn't mean that the process for community group outreach is done.

- **Committee Member Comment:** Listening to this presentation is déjà vu. Comments about wealth creation in the Black community sounds good but, at the end of the day, what does that really mean? Does ODOT have a baseline for DBE contracting? Where is Prosper Portland? Prosper Portland should be central to this process considering that their mission is to grow jobs and wealth in communities of color. Where are they?
  - **ODOT Response:** Prosper Portland is a part of the broader project team. The Portland Bureau of Transportation (PBOT) is coordinating among bureaus, including Prosper Portland.
- **Committee Member Comment:** Suggest that the approach to prioritizing Black/African Americans in engagement and contracting should be informed by data. Data on gentrification and disenfranchisement of the African American community in the Rose Quarter would help the committee understand the greater purpose. The project will fail African Americans if leaders at ODOT do not have a data-informed operational plan and someone to implement that plan.
  - **Committee Member Response:** The demographics in Rose Quarter have changed. Other communities of color, not just African Americans, should be prioritized in the process.
  - **Committee Member Response:** The purpose of the process is specifically to address harm to African Americans and heal the legacy of that harm. African Americans should be prioritized to compensate for past disproportionate disenfranchisement.
  - **Committee Member Response:** Focusing only on Black/African Americans is discriminatory against other people of color.
  - **DBE/OJT Team Response:** ODOT has done substantial harm in the Black/African American community that is backed up by data. During this project, ODOT will prioritize Black/African Americans.
- **Action Item:** Share NEPA data on the African American community in Rose Quarter with the COAC committee.
- **Committee Member Comment:** Recommendation for a process for compliance. Need to remove fronts, conduct risk audits and have consequences for failure.

## 8. RECOMMENDATIONS FOR ENGAGING COMMUNITY GROUPS

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Amber and André, shared how they worked with community groups to gather recommendations, to sort those recommendations by intent, and consider them in developing a plan for the contracting specifications. They shared that ODOT planned to work with the community and COAC to revise the specifications and submit them to the Department of Justice (DOJ).



## 8.1 Key take-aways

Amber shared that the DBE/OJT group had developed key-takeaways from working with community groups that included:

- Transparency and accountability
- Prime monitoring
- Meet DBE and workforce goals
- Tailored subcontracting opportunities
- Local preference
- Technical assistance, networking
- Prompt payment

## 8.2 Committee Discussion Themes

The following key themes emerged from the committee discussion:

- The community groups ODOT has interviewed for developing specifications are not representative of the community. ODOT needs to amend the list to include more groups.
- ODOT should complete a capacity study to understand the landscape of minority contractors.
- There needs to be metrics, goals and an evaluation process to ensure ODOT follows through on promises to the minority owned business community.
- Communities of color lack trust in ODOT and agencies in general.

## 8.3 Committee Discussion Q&A – Engaging Groups

The following text summarizes the questions, answers and comments from the committee discussion:

- **Committee Member Comment:** The Hispanic Chamber of commerce should be included. They are an established organization that is essential to involve in the conversation.
- **Action Item:** Add the Hispanic Chamber of Commerce to the list of organizations consulted. Shelli Romero, from ODOT, is responsible for following up with chamber members.
- **Committee Member Question:** Is there a timeframe to submit specifications to the DOJ?
  - **ODOT Response:** Yes, in the next few weeks. But ODOT wants to strike a balance between meeting deadlines for the legislature and making sure the community is heard.
- **Committee Member Question:** There are no groups included from the Asian and Pacific Islander (API) community. APIs are underrepresented on this committee too. Is there a reason why the fastest growing ethnic group in Oregon and the country was excluded? Was that intentional?



- **ODOT Response:** It was not intentional. ODOT invited a number of people from the Asian community to join the committee.
- **DBE/OJT Team Response:** The process of identifying and reaching out to Asian and Pacific Islander groups is ongoing.
- **Committee Member Question:** ODOT is running out of time to engage community groups in the recommendation process, shouldn't ODOT's outreach be more inclusive than it has been?
  - **ODOT Response:** ODOT will get meetings set up quickly to ensure diverse voices are included.
- **Committee Member Comment:** A large proportion of the community is not represented by the groups that ODOT presented on. This process is deficient. First, there should be a capacity study. Who will do a capacity study? Recommend that ODOT approach this process like a disparity study and interview firms to ask them about their capacity. This process is concerning. ODOT should be uncomfortable with the lack of community representation and studies done. Second, what are the goals for workforce and what are the consequences for non-compliance? ODOT is not taking this process seriously enough.
- **Committee Member Comment:** The system has given white people a head start. ODOT needs to apply resources to give more contracts to minority owned businesses.
- **Committee Member Comment:** Communities of color can start working together and pursue opportunities for collective action.
- **Committee Member Comment:** There is a lack of overall trust for ODOT and Portland-based agencies in general. Agencies like Portland Development Commission are always talking about what they can do to be more equitable without intentionally doing it. Communities of color feel that ODOT does the same. ODOT needs to build trust today.
- **Committee Member Comment:** Who is going to have the horsepower to make sure that all firms, including minority owned firms, are treated equally when the job goes out for bid?

## 9. OVERVIEW OF MATRIX OF RECOMMENDATIONS AND WORKFORCE GOALS

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Amber continued to give a presentation on the process for gathering recommendations. Amber shared a matrix of all the recommendations from community groups and their intent. She outlined that ODOT's goal is to create a respectful workplace for all people. She discussed that the workforce goals are still in development, the team is discussing what percentage of DBE contracting will be required. Some committee members suggested that the goal be 20% or higher.

### 9.1 Committee Discussion Themes

The following key themes emerged from the committee discussion:

- ODOT can develop a plan for providing technical assistance to contractors to develop them and their business.



- ODOT should develop a diversity and inclusion plan that clearly outlines terms, goals and processes that will make the bidding process more inclusive.
- The committee should explicitly focus on and address racism. ODOT can partner with groups like the Office of Human Rights to better address racism.
- ODOT should budget for onsite job training for minority contractors.

## 9.2 Committee Discussion Q&A

The following text summarizes the questions, answers and comments from the committee discussion:

- **Committee Member Comment:** The city and other agencies hold many meetings like these to meet contractors. These meetings put a burden on contractors. It would be great if agencies developed an assessment of where contractors are, what they need to get to the next level of their business and help develop a plan for them to get technical assistance and training. There are models that exist for how to develop contractors that ODOT could utilize.
  - **DBE/OJT Team Response:** The DBE/OJT team is coordinating the effort to identify contractors to better understand their capacity. Then, the team can develop a package of help for them.
- **Committee Member Question:** Are there other CM/CG projects that ODOT has done before this one? They could be used as a blueprint for this work.
  - **ODOT Response:** No, this is the first one.
- **Committee Member Comment:** Wealth creation is a confusing term. ODOT should define it. Is the prequalification process for ODOT going to be more inclusive? It is restrictive and confusing process. Is there a diversity and inclusion plan? There should be a jobsite culture process to make sure the project is a welcoming environment. Contractors have found that putting these plans in place benefits minority contractors.
  - **DBE/OJT Team Response:** Regarding the capacity assessment, the DBE team will do an availability analysis. It is similar to a disparity analysis. Returning to the guiding principles, the DBE goal is to build capacity for minority contractors to participate in both this project and future projects. Technical assistance will be a key part of the project. There is budget and staff time scoped for technical assistance.
- **Committee Member Comment:** If the committee can poke holes in the guiding principles here today, then those principles won't stand up when the project is in full swing.
- **Committee Member Comment:** Suggestion that the committee address the elephant in the room. Racism prevents success for minority contractors. The presentation does not mention this. Minority contractors have huge challenges and hurdles in this industry. Suggestion that ODOT builds incentives and consequences for discrimination because racism is alive and well in ODOT and in this state. ODOT ought to address racism.



- **Committee Member Comment:** There is an opportunity for the City of Portland to engage with the Office of Human Rights, they should focus on this project.
- **Committee Member Comment:** There should be curriculum on the jobsite to make sure the job itself serves as a training group. To make this environment possible, the owners of the project need to budget for education.
- **Committee Member Comment:** Suggestion to remind the committee of its purpose. The charter reads “given the history of highway construction and displacement in this area”. Suggestion that every time the committee meets, this purpose should explicitly be called out. Revisiting the purpose will drive and focus committee conversations. The committee should not lose sight of the goal to address the harm that highway construction has done to the Black community.
  - **ODOT Response:** This is the historic Black neighborhood where I-5 was built and displaced the community. The project needs voices that represent the historically displaced community. Moving forward, ODOT needs to be intentional about reaching out to the affected community. The people here today were selected for this committee to give a voice to that community.

## 10. PUBLIC COMMENT

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Johnell invited any members of the public to share comments with ODOT and the audience.

Nate McCoy shared a comment outlining suggestions for contracting DBEs. His recommendations included:

- ODOT should pay contractors while they learn on the job skills
- Most businesses are valued on their assets, ODOT can help DBE’s increase their assets
- ODOT should to talk to large equipment providers such as John Deer and CAT, to make bulk equipment purchases with price breaks
- Once ODOT purchases equipment, they can launch a rent-to-own program for minority owned businesses
- Minority owned businesses would like to have the same buying power as larger firms
- A follow-up written comment will be provided to ODOT.

## 11. MEETING NEXT STEPS

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Johnell invited committee members to the next meeting on July 22<sup>nd</sup>. He reminded the committee that the project team will be in touch before the next meeting to solicit input and recommendations. He thanked everyone for attending.