

RESOLUTION OF THE CITY COUNCIL

No. 426

Approved October 12, 2017

RESOLVED, That the Members of the Providence City Council
hereby Authorize Approval of the following Contract Award by the Board of
Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

Building Futures
(Office of Economic Opportunity)

\$150,000.00

IN CITY COUNCIL

OCT 05 2017

READ AND PASSED

Sabina Mateo

ACTING PRES.

Lois L. Hynes

CLERK

I HEREBY APPROVE.

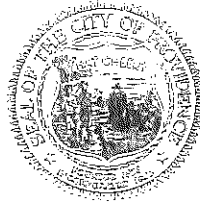
[Signature]

Mayor

Date.

10/12/17

MATTHEW M. CLARKIN, JR.
INTERNAL AUDITOR
25 DORRANCE STREET, ROOM #307
PROVIDENCE, RI 02903
Phone: (401) 421-7740 EXT. 577
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City of Providence, Rhode Island
Office of the Internal Auditor

July 7, 2017

Ms. Lori Hagen
City Clerk's Office
City of Providence
25 Dorrance Street
Providence, RI 02903

Dear Lori:

I am writing to request that the following requested contract award be submitted to the City Council and the Finance Committee for approval.

- **Office of Economic Opportunity:** Approval of a continuation of services contract with Building Futures for the period July 1, 2017 through June 30, 2018 (FY2018) to provide project monitoring and technical assistance on construction projects funded by the city. The total amount of this contract for fiscal 2018 is \$150,000.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew M. Clarkin, Jr.", is written over the printed name.

Matthew M. Clarkin, Jr.

Internal Auditor

Cc: Alan R. Sepe, Director of Operations
Brian Hull, Director of the Office of Economic Opportunity



CITY OF PROVIDENCE

Jorge O. Elorza, Mayor

June 20, 2017

The Honorable Jorge O. Elorza
Chairman, Board of Contract and Supply
City Hall - 25 Dorrance Street
Providence, RI 02903

RE: Approval of Continuation of Services with Building Futures

Dear Mayor Elorza:

The Office of Economic Opportunity respectfully requests approval to authorize a continuation of services contract with Building Futures. The attached proposal seeks to continue Building Futures' services for the period July 1, 2017 – June 30, 2018 (FY '18) and may be extended for up to two additional one (1) year terms.

Building Futures has been providing services for the City of Providence's First Source program for multiple years. Their scope of work includes technical assistance and compliance monitoring in achieving local hiring goals for construction projects located in the City of Providence. Building Futures provides their technical assistance to both City Departments who procure construction services as well as to entities obligated as a result of receiving city funds. As well, Building Futures operates Rhode Island's only state-certified pre-apprenticeship training program in construction for residents ages 18-35, and serves as the Industry Partner for the construction sector for the Governor's Workforce Board.

Building Futures has prepared the enclosed proposal for continuation of its services for FY '18 with a request not to exceed an amount of \$150,000. The FY '18 budget is provided through the Account Code 101-909-55125 (First Source) and has been budgeted for by the Office of Economic Opportunity.

MWBE participation is 0%.

Sincerely,

Brian Hull, Director
Office of Economic Opportunity

OFFICE OF ECONOMIC OPPORTUNITY

444 Westminster Street, Providence, Rhode Island 02903

Phone: 401-680-8585 | Fax: 401-680-8586

www.providenceri.gov



Renewal Application to City of Providence For Construction Monitoring and Resident Services

INTRODUCTION

Building Futures is pleased to propose continuing services to assist the City of Providence (City) achieve its policy goals related to compliance and community benefits on construction projects. Our scope of services has been continually refined through an iterative process with the City since the initial design of these services in 2012. Given Building Futures has proposed and executed the services below with excellent results through annual contracts for the past five fiscal years, the City's request to provide a multi-year proposal for these services for FY 2018 – 2020 is appreciated.

As the state's sector partnership for non-residential construction, Building Futures remains well-positioned to provide these services. The proposed services leverage two signature programs we have operated for the past decade. Our Apprenticeship Utilization Program (AUP) increases utilization of registered apprentices on major nonresidential construction projects. Our pre-apprenticeship program prepares diverse low-income men and women for placement into family-sustaining employment as registered apprentices in the building and construction trades. Each of these core programs has received national acclaim for innovation and impact.

Additionally, this proposal reflects and builds upon the successes of our partnership with the City to help achieve its construction-related policy goals over the past several years. Building Futures' working relationships with City departments are varied and include public works, parks and the water supply board as well as the Department of Planning and Development. In particular, weekly meetings with the City's Tax Stabilization Agreement (TSA) compliance team have been essential to improving construction monitoring and technical assistance related to the scope of services outlined below.

SCOPE OF SERVICES

Building Futures proposes to continue its previous scope of services in relation to construction projects located in the City of Providence. Three types of projects will receive these services, when:

1. Construction is purchased directly through a City department.
2. Construction is purchased by an entity that has received funds from the City.
3. Construction is purchased by an entity that has received public benefits (e.g. TSA).

As in previous years, two interconnected areas will comprise most of our scope: 1) project-based services, and, 2) resident-based services. In the first area of scope, Building Futures will continue to implement and refine the City's ability to monitor and document performance on specific project goals for each of the three types of projects above while assisting obligated parties (such as developers, contractors and subcontractors) in achieving those goals. In the second area, Building Futures will continue to prepare Providence residents for entry-level construction employment to ensure a qualified and diverse candidate pool is available to fill hiring opportunities, stimulated in part by the City's construction policies. Furthermore, Building Futures will facilitate the connection of City residents to construction employment opportunities as registered apprentices.

1. Project-Based Services

a. Planning

Over the past two contracts, Building Futures has worked closely with the City's TSA compliance team to refine procedures for initial planning and compliance meetings with project owners and contractors.

These planning meetings are best held prior to the solicitation of bids for construction services. Preferably, the planning meeting occurs before the selection of a prime contractor (whether a construction management or general contractor firm) or shortly thereafter. Attendees vary depending on the type of project, but will generally include the "project owner" representative and/or the selected prime contractor as the project owner's designee. The project owner varies for each of the three project types, and is generally:

1. The City Department purchasing construction services (if valued at more than \$100,000 per the Code of Ordinances Section 21-28.1); or
2. The recipient of City funds purchasing construction services (if City funds received are over \$25,000 annually and therefore the recipient is obligated by Section 2-169.1, First Source); or
3. The recipient of a tax stabilization agreement for a project where construction services will be purchased to perform real property improvements (with the exception of "neighborhood TSA" recipients).

At the planning meeting, the process for compliance with (and achievement of) the City's construction policy goals is reviewed in relation to the specifics of the construction project. Building Futures provides the applicable ordinances, forms, instructions and guidance in relation to construction monitoring, hiring and compliance obligations, and establishes next steps. Building Futures requests and reviews project bid specifications to ensure that terms to be met given applicable ordinances/TSAs are incorporated to inform all contractors that may provide construction services, regardless of tier. Building Futures also shares best practices learned from previous projects that achieved or exceeded specified goals, such as creating an apprentice utilization and resident hiring plan in advance of the project start for any anticipated employment opportunities.

b. Hiring

As construction contracts are awarded and work commences, Building Futures will continue to provide assistance to all entities involved in the construction process to ensure goals and obligations are met regarding apprentice utilization, local hiring, and diversity goals for both the labor-force and business enterprises engaged. Construction sub-contracts are generally awarded in stages in accordance with the divisions established by the American Institute of Architects (AIA), as different scopes begin only after other scopes are underway or completed. Therefore, during construction and as contracts are awarded, Building Futures will identify potential opportunities for resident hiring (as apprentices or journeyworkers) with the awarded subcontractors throughout project construction. In coordination with the Office of First Source, Building Futures will match qualified residents to the trade employment opportunities as apprentices or journeyworkers.

c. Monitoring & Reporting

Building Futures will assist an obligated entity and/or their designee in the timely collection and submission of employment data for the project during construction. The Monthly Employment Utilization Report (MEUR), developed initially for City of Providence PCTA School construction in 2007, continues to be refined for ease of use. Data fields the MEUR collects provide the following information from all tiers of awarded contractors:

1. Total Labor Hours performed
2. Apprentice Utilization achieved
3. Trade Occupations employed
4. Residency, Ethnicity and Gender of workforce, (by hours worked and individual headcount)
5. Source of employees (of Apprentices and Journeyworkers)
6. Contractor(s) performance on the data sets above

By reviewing these reports as received, progress towards the project-specific goals and obligations can be evaluated while construction is underway. Analyzing reports during construction allows for corrective actions to be taken while the project is underway, should there be a need to increase performance. In addition to the ongoing review of data on a monthly basis, upon completion of the project Building Futures will provide a summary report to capture the project performance as related to the specific construction policy goals for the project being monitored.

All of the project-based services above, including any development of collateral materials and tools or refinements to protocols and procedures established, have been informed by the City and performed in conjunction with the appropriate City staff to ensure continual information sharing. The process for the implementation of these Project-Based Services is enumerated below by phase:

Pre-Construction

1. Convene an initial planning meeting with the "Project Owner", whether that be a City Department or a TSA recipient, to review the project goals and compliance process, in addition to reviewing relevant bidding specifications prior to the solicitation of bids for construction services;
2. Meet with the Project Owner's prime contractor (whether a CM or GC firm) prior to the commencement of construction and/or bidding to subcontractors;
3. Attend pre-bid conferences to inform bidders, and/or pre-construction meetings with awarded contractors, to review procedures to meet compliance obligations and achieve project-specific goals, offer technical assistance and explain the process to apply for a compliance waiver (when applicable);

During Construction

4. Manage the construction-reporting process, provide reporting-related technical assistance to contractors as needed, receive and review all subcontractor reports on a monthly basis;
5. Analyze reports received from active subcontractors as provided by the prime contractor, summarize and provide progress reports to the project owner and/or prime contractor on the achievement of goals by project in total and by individual contractors;

6. Provide performance communication to the prime contractor on a monthly basis upon completion of review and analysis of submitted reports as related to any recommended or required next steps;
7. Advise the City on the issuance of payment of contractor requisitions (when applicable) upon confirmation of reporting as required and the achievement of project-specific goals;
8. Provide the Office of First Source summary information on Providence residents employed on projects being monitored by Building Futures for compliance on a quarterly basis,
9. Attend periodic construction progress meetings as needed and/or requested by the project owner and/or its prime contractor throughout the project;
10. Advise the City during regular meetings on reporting received, provide current performance summaries and data analysis by project in aggregate (by individual contractor, when requested) to ensure best faith efforts have been undertaken;
11. Facilitate the placement of City residents, as needed, for any new non-supervisory positions created by the project during the construction process;
12. Review and advise the City on any contractor's request for an adjustment in the apprentice utilization requirements and/or exemption requests (when applicable) during the performance of the awarded scope;

Post Construction

13. Upon the completion of the specific construction project, provide the City a summary analysis which at minimum will include:
 - Utilization of registered apprentices in aggregate and by trade;
 - Demographics of the workforce of the project in aggregate, including personnel employed and their trade, residency/zip code, gender and ethnicity;
 - Performance towards project goals by individual contractors/subcontractors;
 - Percentage of labor hours performed by Women and Minority Business Enterprises;
 - Provide data on the satisfactory or non-satisfactory performance to inform enforcement efforts of the City.
14. Recommend sanctions and/or implement corrective actions to rectify non-satisfactory project-based performance in conjunction with the City of Providence as provided by applicable City Ordinances.

2. Resident-Based Services

Building Futures' construction pre-apprenticeship program is the only one formally validated by the RIDLT's State Apprenticeship Council and is nationally recognized for best practices. Our pre-apprenticeship program ensures a qualified pool of Providence residents is available for entry level employment as registered apprentices on construction projects – projects taking place in the City of Providence as well as elsewhere in Rhode Island and region.

Our comprehensive pre-apprenticeship program routinely has far more individuals attending orientation sessions than can be served. This program has graduated 266 individuals and (thus far) placed 225 of these graduates into employment as registered apprentices in the various construction trade occupations. Importantly, 80% of these placements are of color and 60% are Providence residents. All Building Futures participants are low-income when entering the program, with 79% unemployed and 50%

receiving public benefits and 55% with prior incarceration and court involvement. The average age of our participants is 27.

Once placed into employment as registered apprentices in one of 12 different trade unions, the starting wage on average is \$17 per hour and above. Most importantly, these starting wages are the first step for our graduates on a genuine career path – with advancement in both wages and benefits gained for every 1,000 hours worked during employment as registered apprentices until completion of the apprenticeship program. Upon completion of their respective registered apprenticeship program (becoming a Journeyworker), Building Futures' graduates have average hourly wage rate of \$37 and \$23 in benefits, totaling \$60 per hour in compensation. To date, 70 of our graduates have completed their 3 to 5 year apprenticeships and become Journeyworkers. Retention in employment for program graduates during the first critical year of apprenticeship is consistently at 96% and retention of all graduate placements over the last ten years is close to 80% percent.

The success of our pre-apprenticeship program is a result of the careful integration of comprehensive support, assessment, education and training. The first several months consist of a variety of assessments to ensure participants are well suited for the rigors of non-residential construction. Those who successfully complete this phase are taught basic construction skills in an industry-simulated context, exposing individuals to all construction trades during 5-weeks of hands-on training.

A critical component to any workforce development program for low-income participants is case management and support services. During the program's initial assessment phase, staff meets individually with each candidate to explore potential barriers to program participation and construction employment. This interview, and the barriers survey that is completed, lays the foundation for the development of an individual service plan that identifies issues that may prevent successful employment and outlines realistic steps to address each issue. The plan, developed with the participant, articulates the next steps agreed to in order to mitigate barriers and provides a timeline by which he/she will do so along with staff support.

Building Futures provides needed referrals to community services such as low cost medical assistance, legal services, financial planning and family support. Additionally, financial education is provided to all participants and Building Futures has capitalized a loan fund with Pawtucket Credit Union for qualifying graduates. This loan program helps in not only alleviating financial hardship preventing employment, but also builds positive credit for graduates. In order to be eligible for a Building Futures' Hardship loan, graduates must engage in further financial counseling. All support services are offered during our program as well as throughout the graduates' apprenticeships. Providing access to services, helping to mitigate employment barriers stemming from poverty, and intensive training and career counseling along with employment placement services, has allowed for many participants to successfully transition to careers in construction who would not have otherwise.

These resident services are complementary to project-based work as proposed, and the (vast) majority of the programming is paid for through other funding sources. Small percentages of the program staff time are proposed to be supported by City of Providence contract funds. Our pre-apprenticeship program

provides significant leveraged resources to the City of Providence and allows for residents to be ready for placement to achieve the City's construction-related policy goals.

IMPLEMENTATION

In order to effectively provide the services discussed above, the following staff will devote a portion of their time to this scope of work to provide a team approach to both project-based and resident-based services:

Andrew Cortés, Director of Building Futures will provide planning and technical assistance regarding the consistent application of project-based process as described above across City departments, and he will provide overall management and guidance for the services as proposed. Mr. Cortés has 0% of his time included in this proposal's budget, with all time towards the scope of services provided in-kind.

William Bryan, Apprentice Utilization Program (AUP) Compliance Manager, will initiate the construction planning process through the joint meetings with the City and obligated parties as described above, to ensure understanding of protocols and requirements regarding apprentice utilization, resident hiring and participation by Women and Minority Business Enterprises. He will provide technical assistance to obligated parties in achieving the policy goals associated with the construction project, with a specific focus on resident placement and apprentice utilization by contractors of all tiers. Additionally, Mr. Bryan will work closely with Mr. Cortés regarding planning efforts and with Ms. Holahan to ensure compliance efforts are coordinated with reporting and other technical assistance as needed. He will be responsible for identifying opportunities on applicable projects for Providence residents to begin employment as registered apprentices. The AUP Compliance Manager will provide between 17 to 34% of his time towards this scope of services.

Rita Holahan, AUP Data Manager, will oversee data collection and reporting with the obligated prime contractors and their subcontractors, track progress and provide monthly summary reports on all obligated projects, provide specific analysis when appropriate and/or requested, in addition to providing technical assistance to contractors as needed in relation to monthly data submissions. Additionally, she will ensure that an overarching implementation schedule of project activities is maintained, and will direct the internal staff team work meetings to ensure our scope of services is performed as demanded by the project compliance implementation schedule created. Ms. Holahan will provide 35% of her time towards this scope of services.

Melissa Benoit, Data Management Assistant, will provide data management support directly under the supervision of Ms. Holahan, ensuring errors in reporting are identified, and contractors receive technical assistance that may be needed, to provide accurate information prior to analysis and summarization of performance by Ms. Holahan. Ms. Benoit will provide 20% of her time towards this scope of services.

Margarita Perez, Data Management and Program Assistant, will provide data management support directly under the supervision of Ms. Holahan, and will assist Ms. Benoit to summarize individual reports and aggregate data to generate project-wide reports. Additionally, Ms. Perez will provide direct support

to Mr. Bryan in scheduling compliance meetings and reaching Providence residents related to opportunities for hire as registered apprentices on the projects being monitored. She will provide 35% of her time towards this scope of services.

Daisy Luciano, Services Coordinator, will provide all participant support services either directly or through referrals, and will provide the financial education coursework, including basic financial literacy and more advanced asset-building classwork for hardship loan participants. Ms. Luciano will provide 15% of her time towards this scope of services.

The volume of construction projects receiving Building Futures' services as outlined is increasing rapidly. As economic development rebounds in the City of Providence, we anticipate this trend continuing. Specifically, redevelopment on parcels created by the relocation of I-195 supported by TSAs are intensely complex projects, often requiring monitoring of 40 subcontractor reports with over 35,000 labor hours per month.

Construction industry forecasts and known RI project data indicate Building Futures' level of engagement will be increasing exponentially over the next 3 to 5 years. As a result, included in this proposal is a 5% per fiscal year budget escalation. The proposed contract resources reflect a shift towards more project monitoring staff than in previous years and as shown in the budget, and it is anticipated the AUP Compliance Manager's percentage of time will increase over the period of performance. Given the longstanding contractual partnership with the City of Providence, Building Futures has kept the budget estimates and projections as low as fiscally prudent over this multi-year proposal.

**BUILDING FUTURES CITY OF PROVIDENCE / FIRST SOURCE
BUDGET PROPOSAL 7/1/2017 thru 6/30/2018**

COST CATEGORIES	FTE /Other Rates	Project Hours/Year	FY 2018 REQUESTED BUDGET 7/1/17-6/30/18
Personnel Costs			
Salaries			\$ 67,816
Building Futures Director (Cortés) (In-kind)	5%	91	\$ -
AUP Data Manager (Holahan)	35%	637	\$ 29,400
Data Management Assistant (Benoit)	20%	364	\$ 14,420
Data Management Assistant (Perez)	35%	637	\$ 16,230
Services Coordinator (Luciano)	15%	273	\$ 7,766
Fringe - Taxes/Benefits			\$ 16,521
Payroll Taxes FICA @7.65%	0.076500		\$ 5,188
Payroll Taxes RI UI @2.04%	0.020400		\$ 1,383
Medical and Dental Insurance	0.107617		\$ 7,298
Group Life and LTD Insurance	0.021370		\$ 1,449
Workers Comp Insurance	0.007735		\$ 525
Employer Pension Contribution @ 1% match	0.010000		\$ 678
Contract Personnel - AUP Compliance Management	17%		\$ 40,426
William Bryan dba Renowned Advisors LLC			
Non-Personnel Project Operating Costs			\$ 11,600
Rent - Building Futures Office, Program and Meeting Space @ \$500/month			\$ 6,000
Utilities @ \$150/month			\$ 1,800
Telephone, Fax, Internet @ \$175/month			\$ 2,100
Equipment Lease-copier @ \$100/month			\$ 1,200
Printing, Postage, Copy Paper, folders, general office supplies - First Source materials, reporting and monitoring supplies & printed materials			\$ 500
Admin/Indirect Costs @ 10%			\$ 13,636
BUDGET PLAN FY 2018			\$ 150,000

**BUILDING FUTURES CITY OF PROVIDENCE / FIRST SOURCE
3-YEAR BUDGET PROPOSAL 7/1/2017 thru 6/30/2020**

COST CATEGORIES	FTE /Other Rates	Project Hours/Year	FY 2018 REQUESTED BUDGET 7/1/17-6/30/18	FY 2019 REQUESTED BUDGET 7/1/18-6/30/19	FY 2020 REQUESTED BUDGET 7/1/19-6/30/20
Personnel Costs					
Salaries			\$ 67,816	\$ 67,816	\$ 67,816
Building Futures Director (Cortés) (In-kind)	5%	91	\$ -	\$ -	\$ -
AUP Data Manager (Holahan)	35%	637	\$ 29,400	\$ 29,400	\$ 29,400
Data Management Assistant (Benoit)	20%	364	\$ 14,420	\$ 14,420	\$ 14,420
Data Management Assistant (Perez)	35%	637	\$ 16,230	\$ 16,230	\$ 16,230
Services Coordinator (Luciano)	15%	273	\$ 7,766	\$ 7,766	\$ 7,766
Fringe - Taxes/Benefits			\$ 16,521	\$ 16,959	\$ 17,418
Payroll Taxes FICA @7.65%	0.076500		\$ 5,188	\$ 5,188	\$ 5,188
Payroll Taxes RI UI @2.04%	0.020400		\$ 1,383	\$ 1,383	\$ 1,383
Medical and Dental Insurance	0.107617		\$ 7,298	\$ 7,663	\$ 8,046
Group Life and LTD Insurance	0.021370		\$ 1,449	\$ 1,522	\$ 1,598
Workers Comp Insurance	0.007735		\$ 525	\$ 525	\$ 525
Employer Pension Contribution @ 1% match	0.010000		\$ 678	\$ 678	\$ 678
Contract Personnel - AUP Compliance Management	17%-34% over 3 yrs		40,426	46,846	53,507
William Bryan dba Renowned Advisors LLC					
Non-Personnel Project Operating Costs			\$ 11,600	\$ 11,562	\$ 11,600
Rent - Building Futures Office, Program and Meeting Space @ \$500/month			\$ 6,000	\$ 6,000	\$ 6,000
Utilities @ \$150/month			\$ 1,800	\$ 1,800	\$ 1,800
Telephone, Fax, Internet @ \$175/month			\$ 2,100	\$ 2,100	\$ 2,100
Equipment Lease-copier @ \$100/month			\$ 1,200	\$ 1,200	\$ 1,200
Printing, Postage, Copy Paper, folders, general office supplies - First Source materials, reporting and monitoring supplies & printed materials			\$ 500	\$ 462	\$ 500
Admin/Indirect Costs @ 10%			\$ 13,636	\$ 14,318	\$ 15,034
BUDGET PLAN BY YEAR			\$ 150,000	\$ 157,500	\$ 165,375

Construction Monitoring and Resident Services Agreement

The City of Providence, acting through its Department of Planning & Development (City), and Building Futures (Consultant), enter into a contract on July 1, 2016 for the services provided herein. This Agreement shall be in effect from July 1, 2016 to June 30, 2017.

Article 1

Purpose

Consultant will: 1) collaborate with the City to continue achieving its construction related policy goals; 2) sustain and grow effective partnerships with the Planning and Purchasing Departments that have developed during the previous fiscal year; 3) maintain the Apprenticeship Utilization Program (AUP); 4) maintain the Pre-Apprenticeship Program; and 5) increase the number of minority residents from Providence who work in construction.

Article 2

Scope of Work

2.1 Continue working with the City to provide a variety of services in relation to construction projects located within the City of Providence. Three categories of construction projects will receive these services:

- Construction services purchased directly through a City department;
- Construction services purchased from an entity that has received funds from the City; and
- Construction services purchased from an entity that has received or will receive public benefits from the City, obligating that party to meet specified community benefit goals.

2.2 To achieve City policy goals related to construction projects, Consultant will continue to expand Project Services. Project Services consist of:

- Providing applicable ordinances, forms, instructions, and guidance in relation to construction monitoring and compliance
- Reviewing project bidding specifications to ensure that terms specified by applicable ordinances are incorporated appropriately for all contractors that may provide construction services
- Sharing best practices from previous projects that achieved specific goals, such as creating an apprentice utilization and resident hiring plan in advance of the project start
- Continuing assistance to all entities involved in the construction process with the City utilization ordinances as applicable, and ensuring obligations are met regarding apprentice utilization, local hiring, and achieving diversity goals
- Identifying opportunities for resident hiring and apprentice utilization with awarded subcontractors during construction and matching qualified residents to the trade occupations in coordination with the First Source Office
- Providing a Monthly Employment Utilization Report, including: Total Labor Hours performed, Apprentice Utilization achieved, Trade/Occupational composition, Residency, Ethnicity and Gender workforce (by hours worked and individuals employed), Source of

employees (of Apprentices and Journey workers), Contractor(s) performance as related to the data above

- Coordinating and attending pre-construction meetings with awarded contractors to review procedures to meet compliance obligations, achieve project specific goals, provide technical assistance and make compliance waiver determinations
- Analyzing reports received from obligated contractors, summarizing and providing progress summaries to the Project Owner and/or prime contractor, and City departments on the achievement of goals by project in aggregate, and by individual contractors
- Advising the City on the issuance of payment of contractor requisitions (when applicable) upon confirmation of reporting as required and the achievement of project-specific goals
- Providing the City with a summary analysis upon the completion of the specific project scope of work which at minimum includes: utilization of registered apprentices in the aggregate and by trade, demographics of workforce employed including personnel employed and their trade, residency, gender, ethnicity, performance towards project goals by individual contractors/subcontractors, percentage of labor hours performed by Women and Minority Business Enterprises, and data on the satisfactory or unsatisfactory performance to inform enforcement efforts of the City.

2.3 Through the pre-apprenticeship program, Consultant ensures that a qualified pool of Providence residents is available for entry-level employment as registered apprentices on construction projects. This program includes:

- Comprehensive support, assessment, education, and training
- Several months of a variety of assessments to ensure participants are well suited for non-residential construction
- Basic construction skills in an industry simulated context for participants who successfully complete the assessments, exposing them to all construction trades over a 5 week hands-on training
- Meetings with individuals to explore their potential barriers to program participation and construction employment and developing plans to help overcome those barriers
- Financial education for all participants
- Through Consultant's capitalization of a loan fund with Pawtucket Credit Union, helping eligible graduates alleviate financial hardship and build positive credit.

2.4 To effectively provide the services discussed above, the following staff will devote a portion of their time to this scope of work to provide a team approach and ensure adequate project resourcing, as defined below.

- Andrew Cortes: Director of Building Futures (In-kind Leverage)
- Ian Chase: Apprentice Utilization Compliance Manager
- Brady Dunklee: Assistant Program Director
- Rita Holahan: Data Manager
- Daisy Luciano: Services Coordinator
- Margarita Perez: Data Management Assistant
- Judith Titzel: Building Futures Program Director

Article 3

Compensation

Compensation for the Scope of Services to be performed under this Agreement shall not exceed \$150,000 (one hundred and fifty thousand dollars).

<u>Cost Category</u>	<u>FY17 Requested Budget</u>
Personal Costs - Salaries	\$103,052
Fringe – Taxes/Benefits	\$20,617
Non-Personnel Project Operating Costs	\$12,695
ProvPlan Indirect Costs – 10% of direct costs	\$13,636
TOTAL:	\$150,000

Article 4

Services

4.1 Standard of Care

The Services shall be performed with care and diligence in accordance with the professional standards appropriate for a project of the nature and scope of this Project.

4.2 Schedule of Performance

The City’s signature on this Agreement shall be the basis for the Consultant to begin providing services for the Program. The Consultant shall perform the services as expeditiously as is consistent with professional quality.

Article 5

Client’s Responsibilities

5.1 Information

The City shall be entitled to rely on the accuracy and completeness of information provided by the Consultant.

5.2 Approvals

The City’s decisions, approvals, reviews, and responses shall be communicated to the Consultant in a timely manner so as not to delay the performance of the Consultant Services.

Article 6

Consultant Compensation

Payments will be made within 30 days from the date of the Consultant's invoice. Invoiced amounts unpaid 90 days after the invoice date shall be deemed overdue. At the Consultant's option, overdue payments may be grounds for termination or suspension of services.

Article 7

Indemnification

City and Consultant each agree to indemnify and hold harmless the other, and their respective officers, employees, agents, and representatives, from and against liability for all claims, losses, damages, and expenses, including reasonable attorneys' fees, to the extent such claims, losses, damages and expenses are caused by the indemnifying party's negligent acts, errors, or omissions. In the event claims, losses, damages, or expenses are caused by the joint or concurrent negligence of City and Consultant, they shall be borne by each party in proportion to its negligence.

Article 8

Dispute Resolution

8.1 If a dispute arises out of or relates to this Agreement, the parties shall endeavor to resolve their differences first through direct discussions. If the dispute has not been settled within 14 days of the initial discussions, the parties shall submit the dispute to mediation, the cost of which shall be shared equally by both parties.

8.2 Nothing in these provisions shall limit the rights or remedies not expressly waived under applicable lien laws.

Article 9

Suspension/Termination

This Agreement may be terminated by either party on 7 days written notice should the other party fail substantially to perform in accordance with its terms through no fault of the party initiating the termination, provided the defaulting party has not cured or in good faith diligently commenced to cure the breach during the 7-day notice period.

Article 10

Other Terms and Conditions

10.1 Assignment

Neither party shall assign their interest in this Agreement without the express written consent of the other.

10.2 Governing Law

This Agreement shall be governed by the laws of the State of Rhode Island.

10.3 Complete Agreement

This Agreement represents the entire understanding between City and the Consultant and supersedes all prior negotiations, representations, or agreements, whether written or oral. This Agreement may be amended only in writing signed by both the City and the Consultant.

Building Futures
Consultant

By: Andrew L. Cortés, Director

Signed: 

Date: 8/12/16

The Providence Plan
For the Consultant, Building Futures

By: James D. Berson, Interim Executive Director

Signed: 

Date: 8/12/16


City of Providence Department of Planning & Development
City

By: Bonnie Nickerson, Director

Signed: 

Date: 9/13/16

Approved as to form and correctness:


Jeffrey Dana, City Solicitor

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM


DATE: July 13, 2015

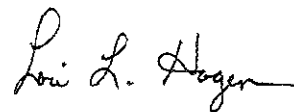
TO: Purchasing Director

SUBJECT: **APPROVAL OF THE CONTINUATION OF SERVICES CONTRACT
WITH BUILDING FUTURES FOR FY 2016 – DEPARTMENT OF
PLANNING AND DEVELOPMENT**

CONSIDERED BY: Board of Contract and Supply

DISPOSITION: VOTED: that the Purchasing Director hereby authorizes approval of the continuation of services contract with Building Futures for FY 2016, to provide project monitoring and technical assistance to construction projects funded by the City, in a total amount not to exceed One Hundred Thirty Three Thousand Two Hundred (\$133,200.00) Dollars, all in accordance with the request of Natalie Lopes, Director of First Source, in communication dated July 1, 2015.

cc: Pur.Dir. 
Contr.
P&D
File



City Clerk



Department of Planning and Development
Jorge O. Elorza, Mayor | Bonnie Nickerson Alce, Director

July 1, 2015

The Honorable Jorge O. Elorza
Chairman, Board of Contract and Supply
City Hall
Providence, RI. 02903

RE: Building Futures Continuation of Services Proposal for FY '16 (First Source)

Dear Mayor Elorza:

The Department of Planning and Development respectfully requests approval to authorize a continuation of services contract with Building Futures for FY 2016. Building Futures provides project monitoring and technical assistance to construction projects funded by the City and offers pre-apprenticeship training and placement for unemployed Providence residents ages 18-35 as related to First Source. The attached proposal seeks to continue providing Building Futures' key services for the City of Providence.

Building Futures has been a sole-source provider under First Source for multiple years, with an initial scope of preparing Providence residents for construction careers, given their unique status as the only state-certified pre-apprenticeship program in Rhode Island. As well, Building Futures is the Industry Partner for the construction sector for the Governor's Workforce Board. Over time, the City expanded Building Futures' scope of work to include assisting and monitoring construction employers in achieving First Source goals, and providing technical assistance to City Departments that procure construction services and entities obligated by receiving city funds.

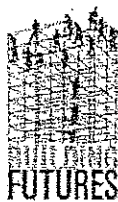
Building Futures has prepared the enclosed proposal for continuation of services for FY '16. The funding for this request will not exceed an amount of \$ 133,200 for FY '16 and will be provided through General Fund Account Code 101-908-55125-0015 (First Source) which has been budgeted for FY '16 through the Department of Planning and Development.

Respectfully submitted,

Natalie Lopes, Director First Source

Cc: Bonnie Nickerson, Director, Department of Planning and Development

DEPARTMENT OF PLANNING AND DEVELOPMENT
444 Westminster Street, Providence, Rhode Island 02903
401 680 8400 ph | 401 680 8492 fax
www.providenceri.com



Proposal for Continuing Services

INTRODUCTION

Building Futures is pleased to propose continuing services to assist the City of Providence achieve its policy goals related to construction projects. Building Futures is the designated Construction Industry Partnership for the State of Rhode Island and operates two core programs: to increase utilization of registered apprentices on current projects, and, to prepare diverse low-income people aged 18-35 for placement into employment as registered apprentices in building and construction trades occupations.

Our proposed services build on upon the experience to date in working with the City of Providence (City) to achieve its policy goals as related to construction. Over the years, the City has requested we expand our scope of work to address different facets or goals of City construction policies. Additionally, during the performance of previous contract(s), we have responded to evolving needs related to specific projects as requested by the City, such as tracking the labor hours performed by W/MBE firms or developing revised protocols. We envision this iterative process continuing in partnership, and recognize that close coordination with differing departments will be essential to perform the proposed services well in Fiscal Year 2016.

SCOPE OF SERVICES

Building Futures proposes to continue providing a variety of services in relation to construction projects located in the City of Providence. Construction projects that would receive these services could be in one of three categories:

1. When the City is purchasing construction services directly through one of its departments;
2. When another entity is purchasing construction services and has received funds from the City, and;
3. When another entity is purchasing construction services while receiving public benefits from the City, which obligates that party to meet specified goals, such as a tax stabilization agreement.

To achieve the City policy goals as related to construction projects in the categories above, we propose continuing services in the two correlated areas of: 1. Project Services and 2. Resident Services, discussed in sections to follow. In partnership with the City and on the City's behalf, Building Futures will continue to implement and refine systems which monitor construction and document contractor performance toward project goals, and assist obligated parties (e.g. Developer or contractors of any tier) in achieving goals. Additionally, we will continue to ensure that Providence residents are prepared for entry-level construction employment on projects when hiring opportunities are available due to the City's construction policies.

Our proposed services follow a standardized protocol but remain broad to allow flexibility, as with the previous contract, to address any evolving needs of the City related to construction projects. All of the project-specific

services may not possible to anticipate; however, the range of such services can be. Over the course of previous contracts, our input on current accountability protocols or project-specific data being monitored has been sought at different points and by different staff/departments of the City. We will coordinate with the Office of First Source to determine the appropriate City staff/departments to meet with upon entering a new contract, to plan and prioritize the work associated with active and upcoming construction projects. In addition, we will provide information to the Office of First Source on a quarterly basis related to Providence resident employment on projects being monitored by Building Futures, or when we place residents into registered apprenticeship employment upon graduation from our pre-apprenticeship program. Specific services proposed for FY16 are described below in the two broad categories of Project Services and Resident Services.

Project Services

PLANNING

Once notified of a construction project for our services, an initial planning meeting is best held prior to the solicitation of bids for construction services. Preferably, the planning meeting can occur before the selection of a Construction Management firm or shortly thereafter. Attendees for this planning meeting with Building Futures will vary depending on the type of project, but will generally include representatives from either: the City department purchasing construction valued at more than \$100,000 per the Code of Ordinances Section 21-28.1 (Apprentice Utilization), the recipient of City funds obligated by Section 2-169.1 (First Source), and finally, the applicant for/recipient of tax agreements that involve construction for property improvements. Additionally, the attendance of other designees may also be appropriate, such as the Construction Management Company or General Contractor, if selected. At this meeting, the required process for achieving the applicable goals will be reviewed in relation to the specifics of the construction project. As the City Designee for these activities, Building Futures will provide the applicable ordinances, forms, instructions and guidance in relation to the construction process and establish next steps. We will request and review project bidding specifications, to ensure that terms related to construction are incorporated appropriately for all contractors that may provide construction services. Additionally, we will share best practices from previous projects which achieved the construction-related goals, such as creating an apprentice utilization and resident hiring plan in advance of the project start for any anticipated employment opportunities.

HIRING DURING CONSTRUCTION

As contracts are awarded and work commences, we will provide assistance to all entities involved in the construction process with the City of Providence utilization ordinances as applicable, including Section 2-169.1 (First Source hiring requirements), Section 21-28.1 (apprentice utilization), and Section 21-52 (MBE/WBE utilization) to ensure obligations are met regarding apprentice utilization, local hiring/First Source process, and in achieving diversity goals for both the labor-force and business enterprises engaged. Construction sub-contracts are generally awarded in stages in accordance with the divisions established by the American Institute of Architects (AIA), as different scopes begin only after other scopes are underway or completed. Therefore,

during construction, and as contracts are awarded, we will identify potential opportunities for resident hiring and apprentice utilization with awarded subcontractors throughout the project construction and match qualified residents to the trade occupations in coordination with the Office of First Source.

MONITORING AND REPORTING

Building Futures will assist an obligated entity and/or their designee in the timely collection and submission of employment data for the project during construction. By utilizing the report form developed initially for City of Providence School construction in 2007, and further refined since creation, data collected will provide the following from all tiers of awarded contractors:

1. Total Labor Hours performed
2. Apprentice Utilization achieved
3. Trade/Occupational composition
4. Residency, Ethnicity and Gender of workforce, (by hours worked and individuals employed)
5. Source of employees (of Apprentices and Journeyworkers)
6. Contractor(s) performance as related to the data above

By reviewing these reports as received, progress towards the project goals and obligations can be measured while construction is underway, which in turn allows time for any corrective actions that may be needed to increase performance. In addition to the ongoing review of data, upon completion of the project, Building Futures will provide a summary report capturing the outcomes achieved as discussed above.

All of the project-based services above, including any development of collateral materials and tools or refinements to protocols and procedures established, will be informed by the City and performed in conjunction with the appropriate City staff to ensure continual information sharing. The work process for these Project Services is broadly delineated below:

Pre-Construction

1. Attends/convenes a planning meeting with the "Project Owner", whether that be a City Department or a TSA recipient, to review the project goals and compliance terms in addition to reviewing relevant bidding specifications prior to the solicitation of bids for construction services;
2. Meet with the Project Owner's prime contractor (whether a CM or GC firm) prior to the commencement of construction and/or bidding to subcontractors;
3. Attend pre-construction meetings with awarded contractors to review procedures to meet compliance obligations, achieve project-specific goals and determine technical assistance needs (if any);

During Construction

4. Manage the construction-reporting process, provide technical assistance to contractors as needed, receive and review all subcontractor reports on a monthly basis;
5. Provide performance communication to all monitored contractors on a monthly basis upon completion of review and analysis of submitted reports;
6. Advise the City on the issuance of payment of contractor requisitions (when applicable) upon confirmation of reporting as required and the achievement of project-specific goals;
7. Analyze reports received from obligated contractors, summarize and provide progress summaries to the Project Owner on the achievement of goals by project in aggregate, and by individual contractors upon request;
8. Provide the City of Providence Office of First Source summary information on Providence residents employed on projects being monitored by Building Futures for compliance on a quarterly basis,
9. Attend periodic construction progress meetings as needed and/or requested by the Project Owner, or its Prime Contractor as designee for the Project Owner, throughout the project;
10. Advise the City in a monthly meeting on reporting compliance and provide current performance summaries by project (by contractor upon request) and analyze data received to ensure best faith efforts have been undertaken;
11. Facilitate the placement of Providence residents as needed for any new non-supervisory positions created during the construction process;
12. Review and advise the City on any contractor's request for an adjustment in the apprentice utilization requirements and/or exemption requests received during the performance of the awarded scope;

Post Construction

13. Provide the City a summary analysis upon the completion of the specific project scope of work, which at minimum will include:
 - Utilization of registered apprentices in aggregate and by trade;
 - Demographics of the workforce of the project in aggregate, including the trades personnel employed and their residency, gender and ethnicity;
 - Performance towards project goals by individual contractors/subcontractors;
 - Percentage of labor hours performed by Women and Minority Business Enterprises;
 - An opinion on the satisfactory or non-satisfactory performance to inform enforcement efforts of the City.
14. Recommend sanctions and/or implement corrective actions to rectify non-satisfactory performance in conjunction with the City of Providence and applicable City Ordinances.

Resident Services

Building Futures operates the only formally recognized construction pre-apprenticeship program in Rhode Island, which is certified by the Rhode Island Department of Labor's State Apprenticeship Council and has been acknowledged nationally as a model program of best practices. Through our pre-apprenticeship program, we ensure a qualified pool of Providence residents is available for entry level employment as registered apprentices on construction projects – projects taking place in the City of Providence or outside of its borders.

As a nationally recognized and comprehensive pre-apprenticeship program, Building Futures routinely has far more individuals attending orientation sessions than we can serve. We have graduated 185 individuals from our program, 80% of which are non-white and 60% are Providence residents. All Building Futures participants are low-income; 60-70% unemployed at the time of enrollment and approximately 50% receive public benefits and have been involved with the court system. The average age of our participants is 27.

Our results to date include 175 of our graduates placed into employment as registered apprentices in one of 12 different trade unions, with average starting wages of \$17 per hour. Most importantly, the starting wages are the first step for our graduates on a genuine career path – with advancement in both wages and benefits gained for every 1000 hours worked during employment as registered apprentices until completion of the apprenticeship program. Upon completion of registered apprenticeship (becoming a Journeyworker), our graduates have average hourly wage rate of \$37 and \$23 in benefits, totaling \$60 per hour in compensation – 42 of our graduates have become Journeyworkers so far. Our graduate retention in employment during the first year of apprenticeship remains over 90 percent, and five-year retention is 84 percent.

The success of our pre-apprenticeship program is a result of the careful integration of comprehensive support, assessment, education and training. The first several months consist of a variety of assessments to ensure participants are well suited for the rigors of non-residential construction. Those who successfully complete this phase are taught basic construction skills in an industry-simulated context, exposing individuals to all construction trades during our 5-week hands-on training.

A critical component to any workforce development program for low-income participants is case management and support services. During the initial assessment phase of our program, staff meets individually with each candidate to explore potential barriers to program participation and construction employment. This interview, and the barriers survey that is completed, lays the foundation for the development of an individual service plan that identifies issues that may prevent successful employment and outlines realistic steps to address each issue. The plan, developed with the participant, articulates the next steps agreed to in order to mitigate barriers and provides a timeline by which he/she will do so along with staff support.

Building Futures provides needed referrals to community services such as low cost medical assistance, legal services, financial planning and family support. Additionally, we provide financial education to all participants and have capitalized a loan fund with Pawtucket Credit Union for qualifying graduates. This loan program helps in not only alleviating financial hardship preventing employment, but also builds positive credit for graduates. In order to be eligible for a Building Futures' Hardship loan, graduates must engage in further financial coursework. All support services are offered during our program as well as throughout our graduates' apprenticeships.

Providing access to services, helping to mitigate employment barriers stemming from poverty, and intensive training and career counseling along with our placement services, has allowed for many participants to successfully transition to careers in construction who would not have otherwise. All of these resident services are complementary to project-based work as proposed and are primarily paid for through other funding – representing significant leveraged resources to the City of Providence.

IMPLEMENTATION OF SERVICES

In order to effectively provide the services discussed above, six of our staff will devote a portion of their time to this scope of work to provide a team approach and ensure adequate project resourcing, as outlined below.

Andrew Cortés, Director of Building Futures, will initiate the construction planning process through the joint meetings with the City and obligated parties as described above, to ensure understanding of protocols and requirements regarding apprentice utilization, resident hiring and participation by Women and Minority Business Enterprises. He will also assist in any additional material, tools or process development, review exemption requests and provide the City with summary analysis at the completion of each project.

Additionally, in conjunction with the City, he will provide planning and technical assistance regarding the consistent application of project-based process as described above across City departments. Finally, he will provide overall management and guidance for the services as proposed. Mr. Cortés has 15% of his time included in this proposal, with additional time beyond that percentage provided in-kind towards the scope of services.

Ian Chase, Apprentice Utilization Compliance Manager, will provide technical assistance to obligated parties in achieving the policy goals associated with the construction project, with a specific focus on resident placement and apprentice utilization by contractors of all tiers. Additionally, Mr. Chase will work closely with Mr. Cortés regarding planning efforts and with Ms. Holahan to ensure compliance efforts are coordinated with reporting and other technical assistance as needed. He will be responsible for identifying opportunities on applicable projects for Providence residents generally, and Building Futures' graduates specifically, to begin

employment as registered apprentices in the trade of their choice. The Apprentice Utilization Compliance Manager will provide 20% of his time towards this scope of services.

Rita Holahan, Data Manager, will oversee data collection and reporting with the obligated prime contractors and their subcontractors, track progress and provide monthly summary reports on all obligated projects, provide specific analysis when appropriate and/or requested, in addition to providing technical assistance to contractors as needed in relation to monthly data submissions. Additionally, she will ensure that an overarching implementation schedule of project activities is maintained, and will direct the internal staff team work meetings to ensure our scope of services is performed as demanded by the project compliance implementation schedule created. Ms. Holahan will provide 35% of her time towards the scope of services above.

Margarita Perez, Data Management Assistant, will provide data management support directly under the supervision of Ms. Holahan, ensuring errors in reporting are identified and reporting contractors provide all needed information prior to analysis by Ms. Holahan and summarizing performance. Ms. Perez will provide 35% of her time towards the scope of services above.

Judith Titzel, Building Futures' Program Director, will oversee all program elements related to the resident services enumerated above, provide supervision to our Service Coordinator, provide all pre-apprenticeship program data and analysis and report on all residents receiving services as well as track their employment information, including placement and advancement. She will work closely with Ms. Holahan to ensure program-based services are aligned with the project-based implementation plan to maximize resident hiring. Ms. Titzel will provide 15% of her time towards the scope of services above.

Daisy Luciano, Services Coordinator, will provide all support services either directly or through referrals to participants, provide the financial education coursework, including basic financial literacy and more advanced asset-building classwork for hardship loan participants. Ms. Luciano will provide 15% of her time towards the scope of services above.

BUILDING FUTURES CITY OF PROVIDENCE / FIRST SOURCE BUDGET PROPOSAL 7/1/15 TO 6/30/16

COST CATEGORIES	FTE /Other Rates	Project Hours/ Full Year	FY 2016 REQUESTED BUDGET 7/1/15-6/30/16
Personnel Costs			
Salaries			\$ 92,832
Building Futures Director (Cortés)	15%	275	\$ 15,687
AU Compliance Manager (Chase)	20%	367	\$ 14,681
Program Director (Titzel)	15%	275	\$ 11,966
Service Coordinator (Luciano)	15%	275	\$ 7,378
Data Manager (Holahan)	35%	642	\$ 27,648
Data Management Assistant (Perez)	35%	642	\$ 15,472
Fringe - Taxes/Benefits			\$ 20,204
Payroll Taxes FICA @7.65%	0.0765		\$ 7,102
Payroll Taxes RI UI @1.9%	0.0190		\$ 1,764
Medical and Dental Insurance	0.0990		\$ 9,195
Group Life and LTD Insurance	0.0026		\$ 241
Workers Comp Insurance @ .0059(GPR)	0.0059		\$ 548
Employer Pension Contribution @ 1% match	0.0100		\$ 1,354
Non-Personnel Project Operating Costs			\$ 8,055
Rent - Building Futures Office, Program and Meeting Space @~ \$300/month			\$ 3,600
Utilities @ \$120/month			\$ 1,440
Telephone, Fax, Internet @ \$150/month			\$ 1,800
Equipment Lease-copier @ \$75/month			\$ 900
Printing, Postage, Copy Paper, folders, general office supplies - First Source materials, reporting and monitoring supplies & printed materials			\$ 315
ProvPlan Indirect Costs - 10% of direct costs			\$ 12,109
Total Planned Expenditures			\$ 133,200

OTHER LEVERAGED RESOURCES SUPPORTING BUILDING FUTURES SERVICES TO PROVIDENCE AND ITS RESIDENTS

In addition to requested funds for FY16, Building Futures has leveraged/secured over \$ 1 Million in other state, federal and non-governmental funds to support both our training programs and direct services for Providence residents, as well as Building Futures' systems work impacting the construction industry as a whole.

Leveraged resources include funding through the United Way, RI Foundation, Governors Workforce Board Industry Partnership, Workforce Innovation Funds, DLT, RIDOT, private corporate and community funds.

Construction Monitoring and Resident Services Agreement

The City of Providence, acting through its Office of Economic Opportunity (City), and Building Futures (Consultant), enter into a contract on July 1, 2017 for the services provided herein. This Agreement shall be in effect from July 1, 2017 to June 30, 2018, and may be extended for up to two additional one (1) year terms.

Article 1

Purpose

Consultant will: 1) collaborate with the City to continue achieving its construction related policy goals; 2) sustain and grow effective partnerships with the Office of Economic Opportunity as well as the Planning and Purchasing Departments; 3) maintain the Apprenticeship Utilization Program (AUP); 4) maintain the Pre-Apprenticeship Program; and 5) increase the number of minority residents from Providence who work in construction.

Article 2

Scope of Work

2.1 Consultant will continue working with the City to provide a variety of services in relation to construction projects located within the City of Providence. Three categories of construction projects will receive these services:

- Construction services purchased directly through a City department;
- Construction services purchased from an entity that has received funds from the City; and
- Construction services purchased from an entity that has received or will receive public benefits from the City, obligating that party to meet specified community benefit goals.

2.2 To achieve City policy goals related to construction projects, Consultant will continue to expand Project Services. Project Services consist of:

- Providing applicable ordinances, forms, instructions, and guidance in relation to construction monitoring and compliance;
- Reviewing project bidding specifications to ensure that terms specified by applicable ordinances are incorporated appropriately for all contractors that may provide construction services;
- Sharing best practices from previous projects that achieved specific goals, such as creating an apprentice utilization and resident hiring plan in advance of the project start;
- Continuing assistance to all entities involved in the construction process with the City utilization ordinances as applicable, and ensuring obligations are met regarding apprentice utilization, local hiring, and achieving diversity goals;
- Identifying opportunities for resident hiring and apprentice utilization with awarded subcontractors during construction and matching qualified residents to the trade occupations in coordination with the First Source Office;
- Providing a Monthly Employment Utilization Report, including: Total Labor Hours performed, Apprentice Utilization achieved, Trade/Occupational composition, Residency, Ethnicity and Gender workforce (by hours worked and individuals employed), Source of

employees (of Apprentices and Journey workers), Contractor(s) performance as related to the data above;

- Attending pre-construction meetings with awarded contractors to review procedures to meet compliance obligations, achieve project specific goals, provide technical assistance and make compliance waiver determinations;
- Analyzing reports received from obligated contractors, summarizing and providing progress summaries to the Project Owner and/or prime contractor, and City departments on the achievement of goals by project in aggregate, and by individual contractors;
- Advising the City on the issuance of payment of contractor requisitions (when applicable) upon confirmation of reporting as required and the achievement of project-specific goals; and
- Providing the City with a summary analysis upon the completion of the specific project scope of work, which at minimum includes: utilization of registered apprentices in the aggregate and by trade, demographics of workforce employed including personnel employed and their trade, residency, gender, ethnicity, performance towards project goals by individual contractors/subcontractors, percentage of labor hours performed by Women and Minority Business Enterprises, and data on the satisfactory or unsatisfactory performance to inform enforcement efforts of the City.

2.3 Through the pre-apprenticeship program, Consultant ensures that a qualified pool of Providence residents is available for entry-level employment as registered apprentices on construction projects. This program includes:

- Comprehensive support, assessment, education, and training;
- Several months of a variety of assessments to ensure participants are well suited for non-residential construction;
- Basic construction skills in an industry simulated context for participants who successfully complete the assessments, exposing them to all construction trades over a 5 week hands-on training;
- Meetings with individuals to explore their potential barriers to program participation and construction employment and developing plans to help overcome those barriers;
- Financial education for all participants;
- Through Consultant's capitalization of a loan fund with Pawtucket Credit Union, helping qualifying graduates alleviate financial hardship and build positive credit.

2.4 To effectively provide the services discussed above, the following personnel will devote a portion of their time to this scope of work to provide a team approach and ensure adequate project resourcing, as defined below.

- Andrew Cortes: Director of Building Futures
- William Bryan: Apprentice Utilization Compliance Manager (Contract Personnel)
- Rita Holahan: AUP Data Manager
- Daisy Luciano: Services Coordinator
- Margarita Perez: Data Management and Program Assistant

Article 3

Compensation

Compensation for the Scope of Services to be performed under this Agreement shall not exceed \$150,000 (one hundred and fifty thousand dollars) in FY 2018. If the City exercises the option of contract extension for up to two additional one (1) year terms, any additional annual compensation above \$150,000 shall not be more than 5% in each of the two additional one (1) year terms.

<u>Cost Category</u>	<u>FY18 Requested Budget</u>
Personnel Costs - Salaries	\$67,816
Fringe – Taxes/Benefits	\$16,521
Contract Personnel	\$40,426
Non-Personnel Project Operating Costs	\$11,600
Indirect Costs – 10% of direct costs	\$13,636
TOTAL:	\$150,000

Article 4

Services

4.1 Standard of Care

The Services shall be performed with care and diligence in accordance with the professional standards appropriate for a project of the nature and scope of this Project.

4.2 Schedule of Performance

The City’s signature on this Agreement shall be the basis for the Consultant to begin providing services for the Program. The Consultant shall perform the services as expeditiously as in consistent with professional quality.

Article 5

Client’s Responsibilities

5.1 Information

The City shall be entitled to rely on the accuracy and completeness of information provided by the Consultant.

5.2 Approvals

The City's decisions, approvals, reviews, and responses shall be communicated to the Consultant in a timely manner so as not to delay the performance of the Consultant Services.

Article 6

Consultant Compensation

Payments will be made within 30 days from the date of the Consultant's invoice. Invoiced amounts unpaid 90 days after the invoice date shall be deemed overdue. At the Consultant's option, overdue payments may be grounds for termination or suspension of services.

Article 7

Indemnification

City and Consultant each agree to indemnify and hold harmless the other, and their respective officers, employees, agents, and representatives, from and against liability for all claims, losses, damages, and expenses, including reasonable attorneys' fees, to the extent such claims, losses, damages and expenses are caused by the indemnifying party's negligent acts, errors, or omissions. In the event claims, losses, damages, or expenses are caused by the joint or concurrent negligence of City and Consultant, they shall be borne by each party in proportion to its negligence.

Article 8

Dispute Resolution

8.1 If a dispute arises out of or relates to this Agreement, the parties shall endeavor to resolve their differences first through direct discussions. If the dispute has not been settled within 14 days of the initial discussions, the parties shall submit the dispute to mediation, the cost of which shall be shared equally by both parties.

8.2 Nothing in these provisions shall limit the rights or remedies not expressly waived under applicable lien laws.

Article 9

Suspension/Termination

This Agreement may be terminated by either party on 7 days' written notice should the other party fail substantially to perform in accordance with its terms through no fault of the party initiating the termination, provided the defaulting party has not cured or in good faith diligently commenced to cure the breach during the 7-day notice period.

Article 10

Other Terms and Conditions

10.1 Assignment

Neither party shall assign their interest in this Agreement without the express written consent of the other.

10.2 Governing Law

This Agreement shall be governed by the laws of the State of Rhode Island.

10.3 Complete Agreement

This Agreement represents the entire understanding between City and the Consultant and supersedes all prior negotiations, representations, or agreements, whether written or oral. This Agreement may be amended only in writing signed by both the City and the Consultant.

Building Futures

Consultant

By: Andrew L. Cortés, Director

Signed: _____ Date: _____

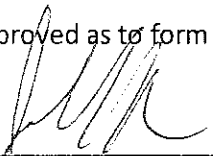
City of Providence Office of Economic Opportunity

Client

By: Brian Hull

Signed: _____ Date: _____

Approved as to form and correctness:



Jeffrey Dana, City Solicitor