

# ***Business & Labor Compliance Update***

*Presentation to Citizens Oversight Panel  
Leslie Jones, Chief Business & Labor Compliance Officer*

*January 30, 2020*



# *What is a Disadvantaged Business Enterprise?*

- At least 51% owned by one or more individuals who are socially and economically disadvantaged
- With a personal net worth of under \$1.32 million
- Business size standard of \$23.98 million or less

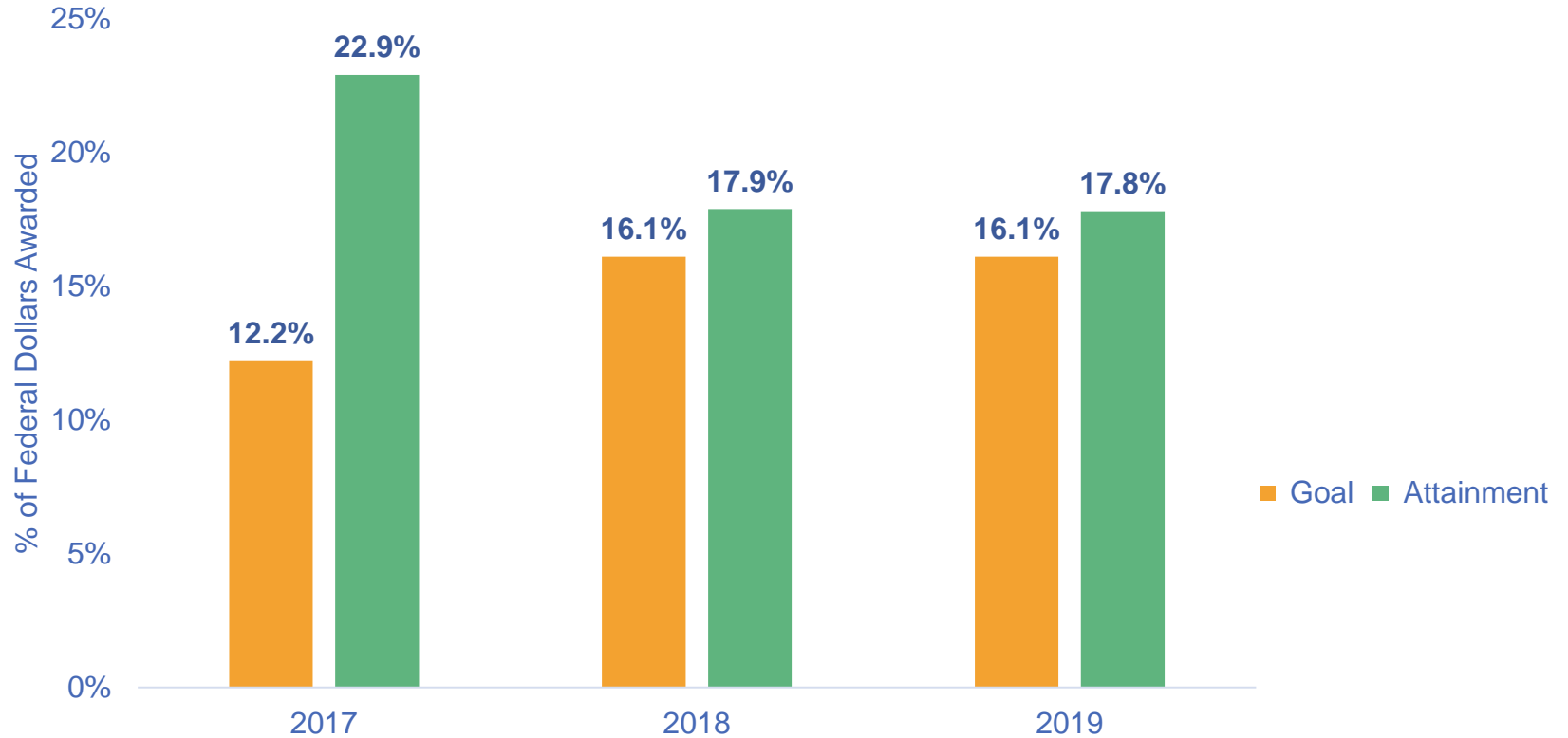
# *DBE Program Objectives*

- Create a level playing field so that DBEs can compete fairly
- Ensure nondiscrimination
- Help to remove barriers
- Ensure regulatory monitoring, compliance and enforcement
- Promoting the use of all types of DBEs

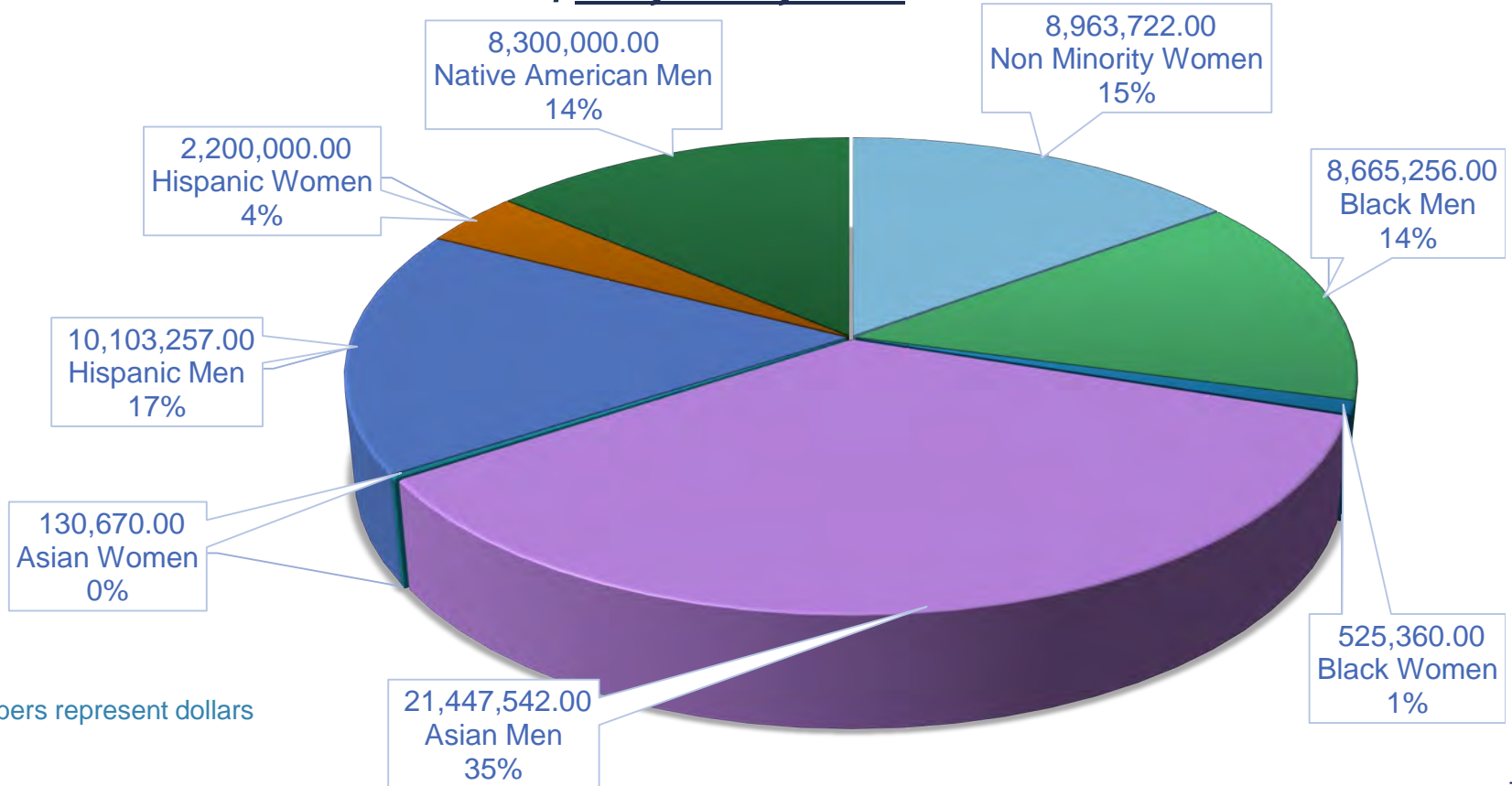
# *Three Year DBE Goal*

- The original DBE goal for 2017 - 2019 was 12.2%
- The 12.2% goal was modified to 16.1% to include system expansion projects
- FTA approved the goal methodology
- The DBE goal for 2020-22 is being developed based on the new disparity study
- We will be posting a new proposed goal in early 2020 seeking input from stakeholders

# DBE Goal vs Attainment

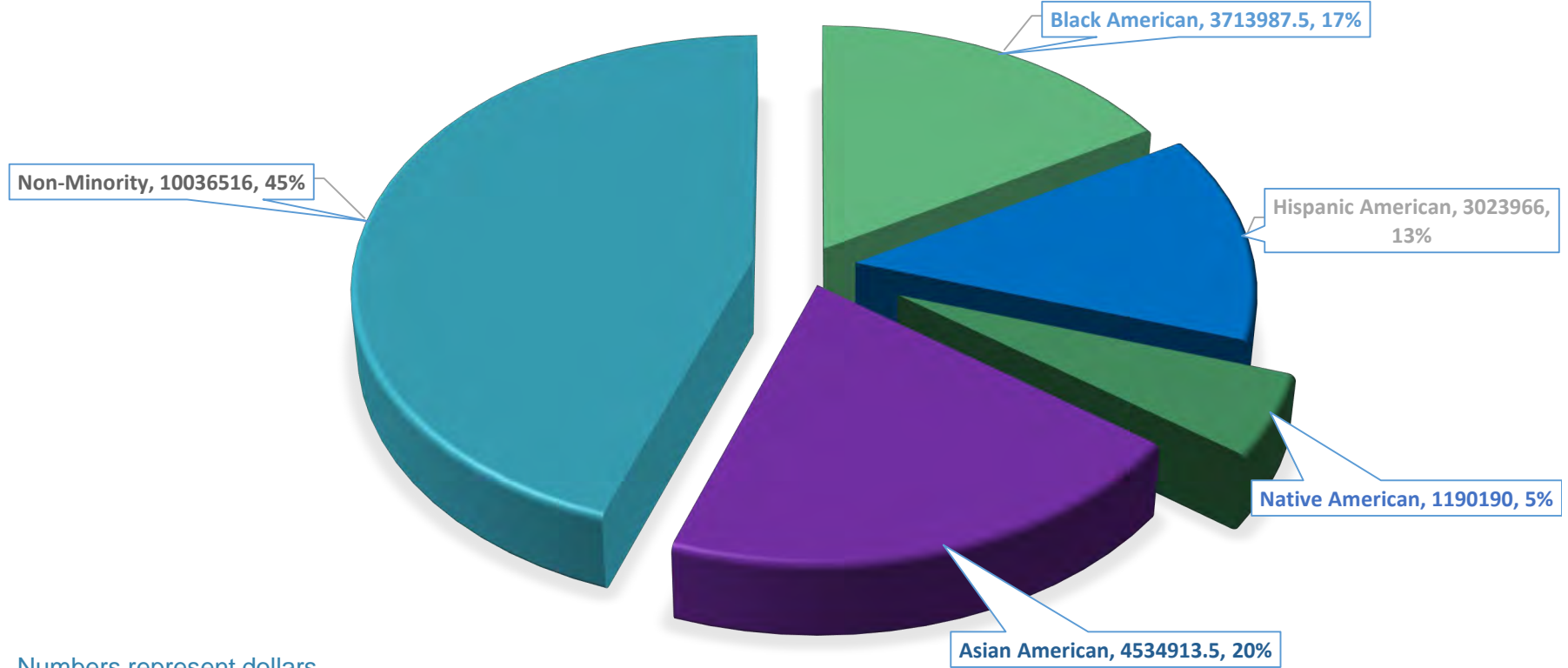


# 2017 DBE Demographic Breakdown of \$60,335,807



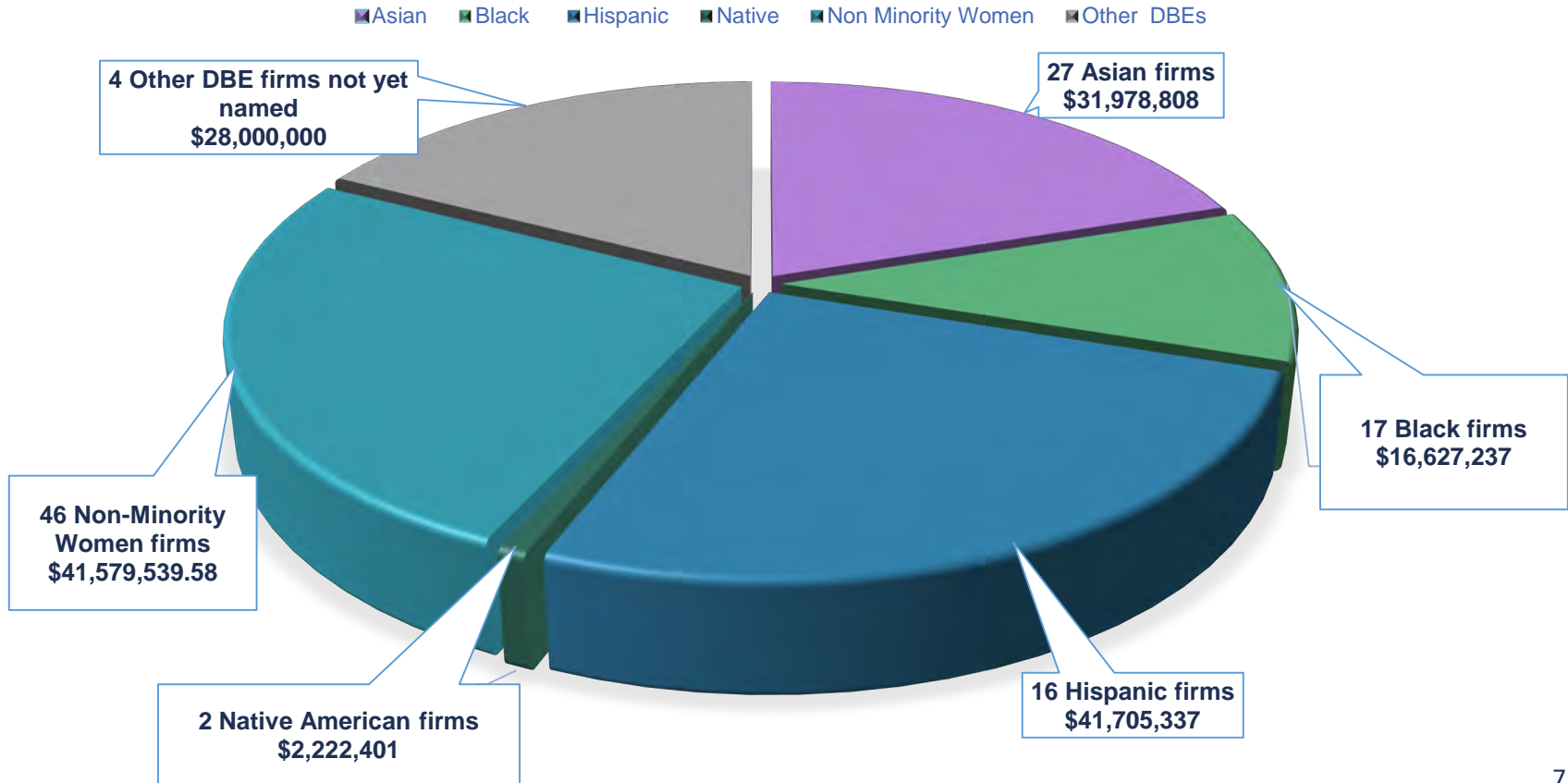
Numbers represent dollars

# 2018 DBE Demographic Breakdown of \$22,499,574



Numbers represent dollars

# 2019 DBE Demographic Breakdown of \$161,126,703





# *Capacity Building Mentorship Program*

## *Background*

- This program is intended to enhance the capabilities and participation of small and diverse businesses that are able to perform work on transportation-related projects.

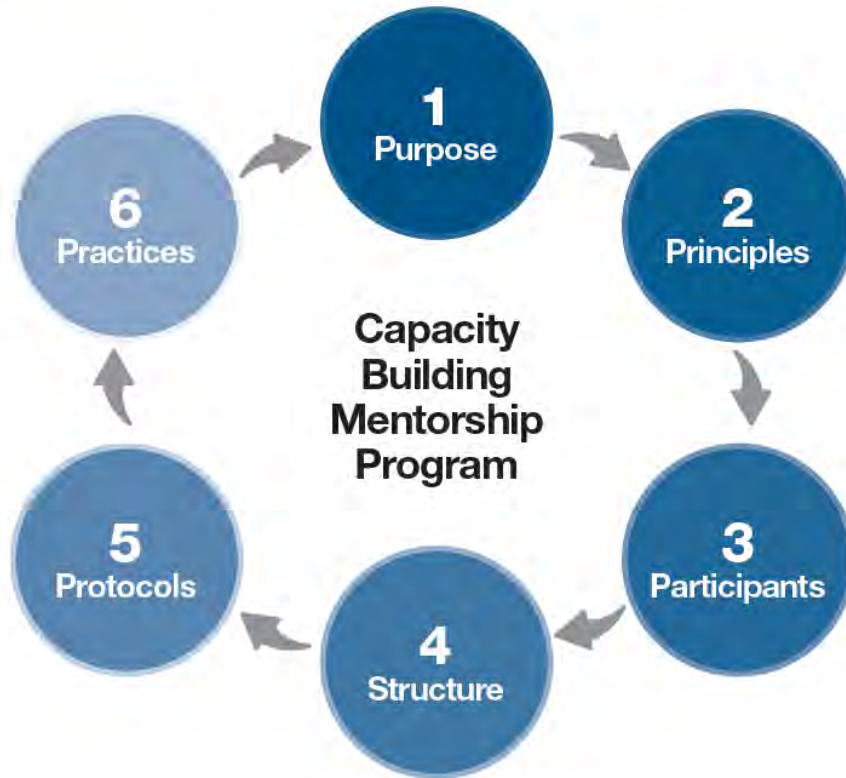




## Goals & Oversight

- The program's long-term goals for the certified firms are as follows:
  - New agency subcontracts and subcontractors;
  - Increased gross receipts;
  - Increased bidding; and
  - Decreased disparity.
- WSDOT and ST will ensure the Program is meeting our customer's needs (agency, mentors, and protégés) through active engagement (quarterly surveys and round table discussions) and oversight of MBDA

# PURPOSE TO PRACTICE (P2P)



## 1. Purpose

Why is the work important to us? What is (are) the problem(s) or challenge(s) we are trying to address? What is the data telling us? What are we trying to accomplish? Why? Develop a specific statement(s) of purpose: "Our purpose is to...so that..."

## 2. Principles

What must we BE or HAVE to achieve our purpose? What are our must dos and must not dos?

## 3. Participants

Who (individuals, teams, groups) can contribute to achieving our purpose and must be included? Why?

## 4. Structure

What are the roles and responsibilities of each participant? How must we organize and coordinate?

## 5. Protocols

What protocols or structures must we have to achieve our purpose(s) (e.g., communication, messaging, conflict, decision-making, escalation, meetings, etc.)?

## 6. Practices

How are we going to achieve our purpose? What are we going to do next – near term, mid-term, long-term? Develop S.M.A.R.T. goal statements for each solution.

# Pairings

- ✓ **Cohort 1: 22 protégés & 16 mentors**
- ✓ **Cohort 2: 19 protégés & 13 mentors**
- ✓ **Cohort 3: 17 protégés & 17 mentors**

# Active Mentors

**Adekoya Business Consulting, LLC**

BCRA Design

Central Washington Asphalt, Inc.

COWI Bridge

**David Evans & Associates**

**Graham Consulting, Ltd.**

**Granite Construction Company**

**Guy F. Atkinson Construction**

**HDR Engineering**

**Hensel Phelps**

**HNTB**

**Hoffman Construction**

IMCO

Inland Asphalt Company

**Jacobs**

**KBA**

**Kiewitt Infrastructure West Co.**

**Mass Electric Construction Co.**

**McKinstry**

**McMillen Jacobs & Associates**

Pacific Pile & Marine

**Parametrix**

**PRR**

**Scarsella Brothers, Inc.**

**Seaburg**

**The Walsh Group**

Tucci and Sons Inc.

**Tunista Construction, LLC**

**WSP**

*Firms Shown in RED have performed work on Sound Transit contracts*

# Active Protégés

Adept Mechanical Services, Inc

**Ahora Construction**

**Alcantar and Associates LLC**

Andrew Michael Cortinas

Ato Apiafi Architect PLLC

Avalon Contracting Inc

**Belarde Company Inc**

**Blue Trident LLC**

Bubbers, LLC

**Civiltech Engineering**

Clarke Crane, LLC.

DBE Construction, Inc.

Diverse Contractors & Associates (DCA)

**Ergosynch LLC**

Hughes Group LLC

**Jimale Technical Services**

**JMR Trucking, Inc.**

KCD Trucking

LDC

Len-Can Builders, Inc.

**Liberty Security LLC**

**Meeds Environmental**

**Nisqually Construction Services, LLC**

Northsound Utility & Construction, Inc.

**Pacific CM**

**Platinum Group LLC**

**Reyes Engineering, Inc.**

RHC Engineering, Inc.

**RHD Enterprises, Inc.**

**Saez Consulting Engineers Inc**

**ST Fabrication**

**Stepherson and Associates LLC**

Subsurface Construction

SUSTAIN+A+BUILD\_ITY LLC

**Systems Consulting**

**Triunity Engineering & Management, Inc**

**Tunista Construction, LLC.**

**UrbanTech Systems**

West Star Construction

**Yates Consulting**

*Firms shown in **RED** have performed work on Sound Transit contracts*

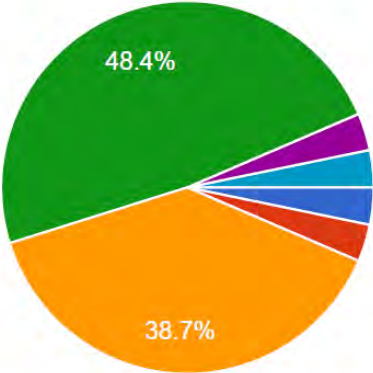
# *Communication & Outreach Plan:*

- Internal meetings:
  - MBDA – every two weeks
  - WSDOT & Sound Transit leadership – every two months
- Participant check-in
  - Throughout the quarter (prior to survey)
- Surveys
  - Quarterly (distribution dates): 12/13/19, 03/13/20, 06/12/20, 09/13/20
- Program update
  - Following survey
- Networking (cohorts 1, 2, 3)
  - February 20, 2020



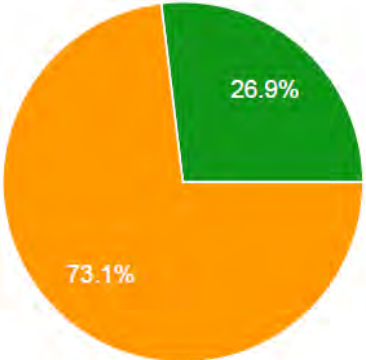
# Overall, how satisfied are you with the Capacity Building Mentorship Program?

## Protégé response:



- Very Dissatisfied
- Dissatisfied
- Satisfied
- Very Satisfied
- As I have stated throughout. I am happy with WSP support. However, time is at a premium.
- Would like to explore, and connect with more of a building mentor as well as our current.

## Mentor response:



- Very Dissatisfied
- Dissatisfied
- Satisfied
- Very Satisfied

# Principles of Business Construction

- Partnership with Renton Technical College, Minority Business Development of Tacoma and Economic Alliance of Snohomish County and Associated Builders Trade Association
- 8 week program designed to enhance construction knowledge and processes for small businesses
- 23 firms graduated from the program with a course certificate, 1 year membership to ABC trade association and 1:1 technical assistance for access to capital and bonding



# ***Title VI Program Update***

# *FTA Title VI Program*

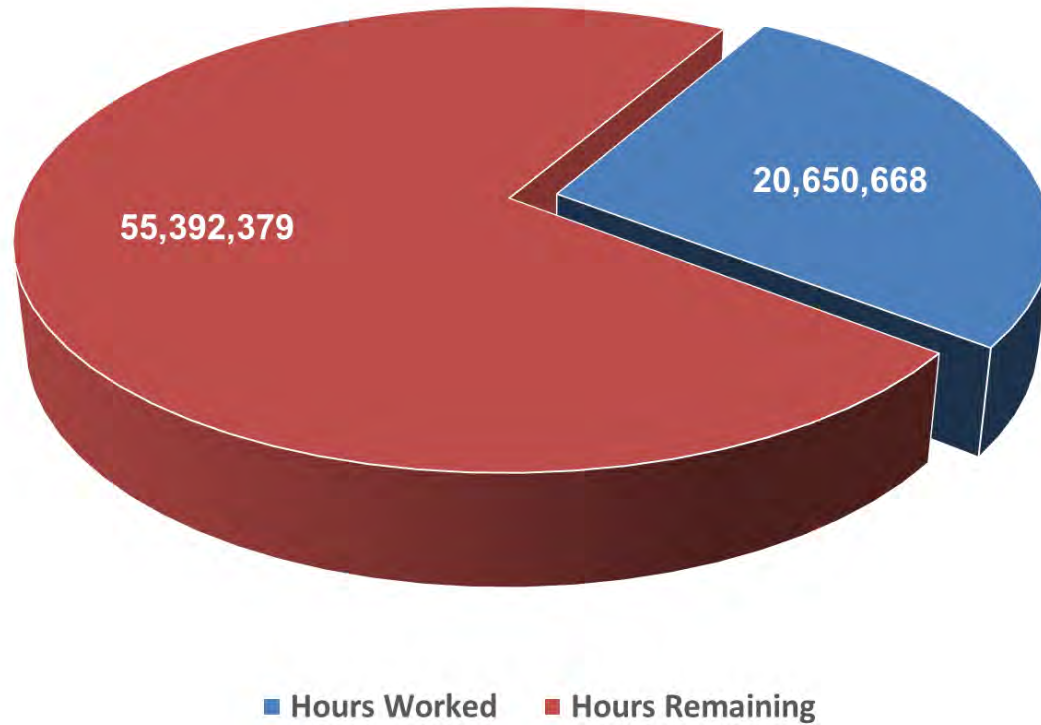
*Outlines required actions needed to fulfill compliance*

## **Key Program Elements**

- **Title VI Notice to the Public & Complaint Process**
- **Public Participation Plan**
- **Language Assistance Plan**
- **Service, Fare & Facility Equity Analysis**
- **Service Monitoring**

# *Labor Compliance Update*

## Sound Transit System Expansion Hours Through January 2020



2019 Hours Worked  
3,740,594

# SOUND TRANSIT - CONSTRUCTION WORKFORCE DIVERSITY

1/29/2020

Projects: MULTIPLE  
 Reporting Period: 1/1/2019 - 12/31/2019  
 Contractors: MULTIPLE

Project Type: --- All Project Types ---  
 Project Group: --- All Project Groups ---  
 Zip List: --- All Zip Codes ---  
 Crafts: MULTIPLE

| Ethnicity          | Gender | Apprentice Hours        | Percentage of Apprentice Hours | Journey Level Hours        | Percentage of Journey Level Hours | Total Hours           | Percentage of Total Hours |
|--------------------|--------|-------------------------|--------------------------------|----------------------------|-----------------------------------|-----------------------|---------------------------|
| African American   | Female | 8,902.0                 | 1.2%                           | 13,366.5                   | 0.4%                              | 163,388.8             | 4.4%                      |
|                    | Male   | 42,387.3                | 5.6%                           | 98,733.1                   | 3.3%                              |                       |                           |
| Asian              | Female | 395.5                   | 0.1%                           | 614.8                      | 0.0%                              | 64,617.7              | 1.7%                      |
|                    | Male   | 22,128.5                | 2.9%                           | 41,479.0                   | 1.4%                              |                       |                           |
| Caucasian          | Female | 62,512.8                | 8.2%                           | 86,890.8                   | 2.9%                              | 2,005,022.2           | 53.6%                     |
|                    | Male   | 280,555.5               | 36.8%                          | 1,575,063.1                | 52.9%                             |                       |                           |
| Hispanic           | Female | 8,635.3                 | 1.1%                           | 8,435.5                    | 0.3%                              | 586,983.7             | 15.7%                     |
|                    | Male   | 112,257.8               | 14.7%                          | 457,655.2                  | 15.4%                             |                       |                           |
| Native American    | Female | 4,935.3                 | 0.6%                           | 2,771.5                    | 0.1%                              | 80,645.3              | 2.2%                      |
|                    | Male   | 15,142.3                | 2.0%                           | 57,796.3                   | 1.9%                              |                       |                           |
| Not Specified      | Female | 29,761.0                | 3.9%                           | 30,487.3                   | 1.0%                              | 712,588.9             | 19.1%                     |
|                    | Male   | 129,702.8               | 17.0%                          | 522,637.9                  | 17.5%                             |                       |                           |
| Other              | Female | 9,294.5                 | 1.2%                           | 4,518.5                    | 0.2%                              | 127,347.7             | 3.4%                      |
|                    | Male   | 35,523.0                | 4.7%                           | 78,011.7                   | 2.6%                              |                       |                           |
| <b>Total Hours</b> |        | <b>762,133.3</b>        |                                | <b>2,978,460.9</b>         |                                   | <b>3,740,594.2</b>    |                           |
|                    |        | <b>Apprentice Hours</b> |                                | <b>Journey-Level Hours</b> |                                   | <b>Combined Hours</b> |                           |
| Total Hours        |        | 762,133.3               |                                | 2,978,460.9                |                                   | 3,740,594.2           |                           |
| People of Color    |        | 255,968.3               | 33.6%                          | 754,395.1                  | 25.3%                             | 1,010,363.4           | 27.0%                     |
| Female Hours       |        | 124,436.3               | 16.3%                          | 147,084.8                  | 4.9%                              | 271,521.1             | 7.3%                      |

# Workers on Active Sound Transit Projects From Zip Code 98405

1/28/2020 8:00:02 AM

Number of Workers

74

Total Hours Worked

38,978

Gross Pay

\$1,556,680

Number of Apprentices

25

Apprentice Hours Worked

16,914

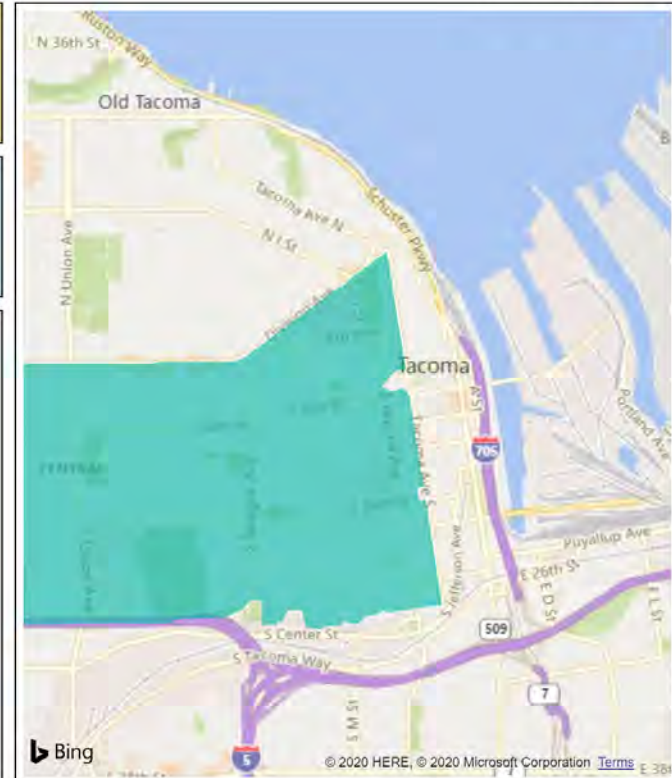
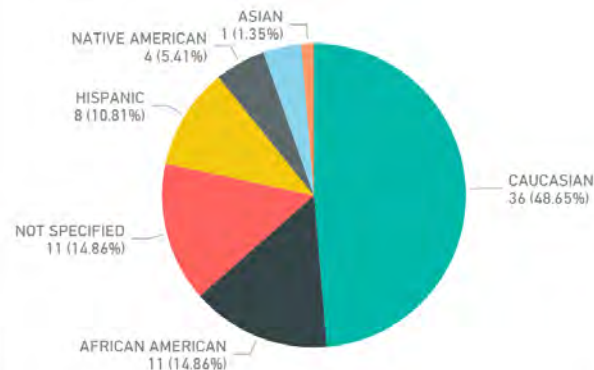
Apprentice Gross Pay

\$560,647

## Gender of Workers



## Ethnicity of Workers



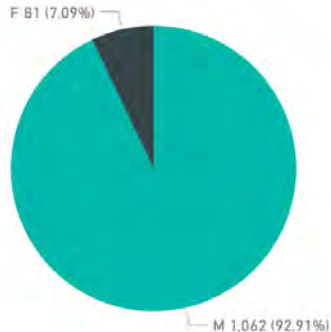


# Workers on Active Sound Transit Projects From Tacoma

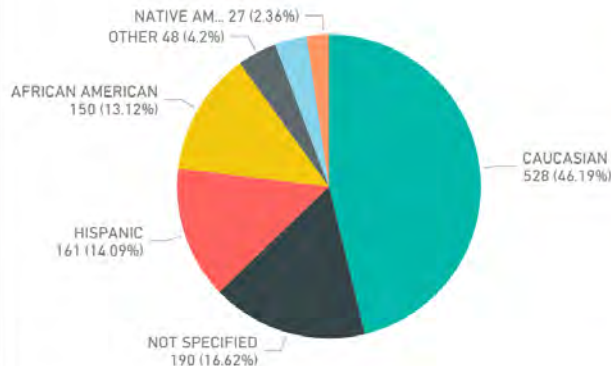
1/28/2020 8:00:02 AM

|                       |                         |                      |
|-----------------------|-------------------------|----------------------|
| Number of Workers     | Total Hours Worked      | Gross Pay            |
| <b>1,143</b>          | <b>547,329</b>          | <b>\$22,767,773</b>  |
| Number of Apprentices | Apprentice Hours Worked | Apprentice Gross Pay |
| <b>272</b>            | <b>150,145</b>          | <b>\$4,918,943</b>   |

## Gender of Workers



## Ethnicity of Workers



# Workers on Active Sound Transit Projects From Pierce County Zip Codes

1/28/2020 8:00:02 AM

Number of Workers

**3,596**

Total Hours Worked

**1,731,881**

Gross Pay

**\$74,786,799**

Number of Apprentices

**725**

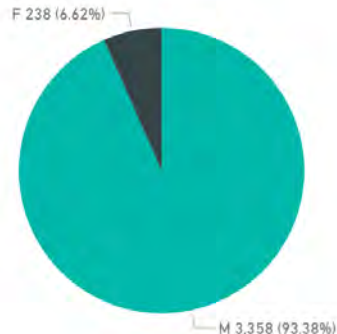
Apprentice Hours Worked

**400,999**

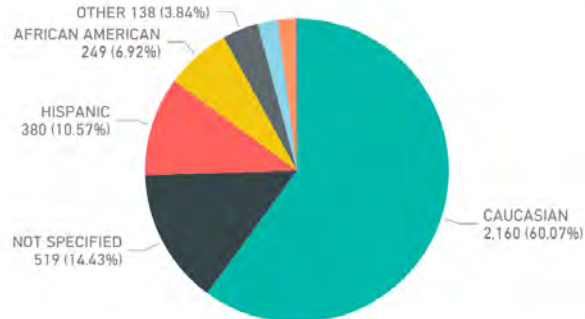
Apprentice Gross Pay

**\$13,220,000**

## Gender of Workers



## Ethnicity of Workers



# Workers on Active Sound Transit Projects

1/28/2020 8:00:02 AM

Number of Workers

15,083

Total Hours Worked

8,097,716

Gross Pay

\$355,843,158

Number of Apprentices

2,742

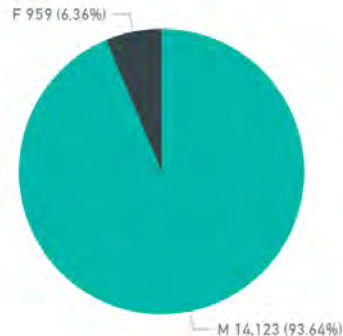
Apprentice Hours Worked

1,529,024

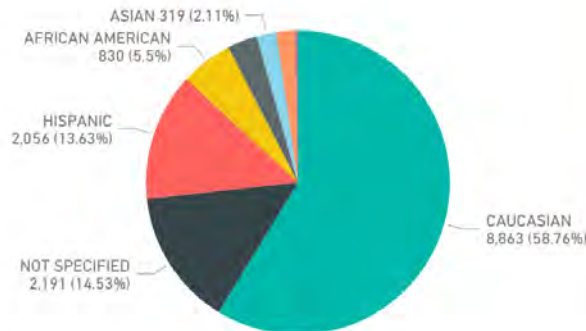
Apprentice Gross Pay

\$49,565,693

## Gender of Workers



## Ethnicity of Workers

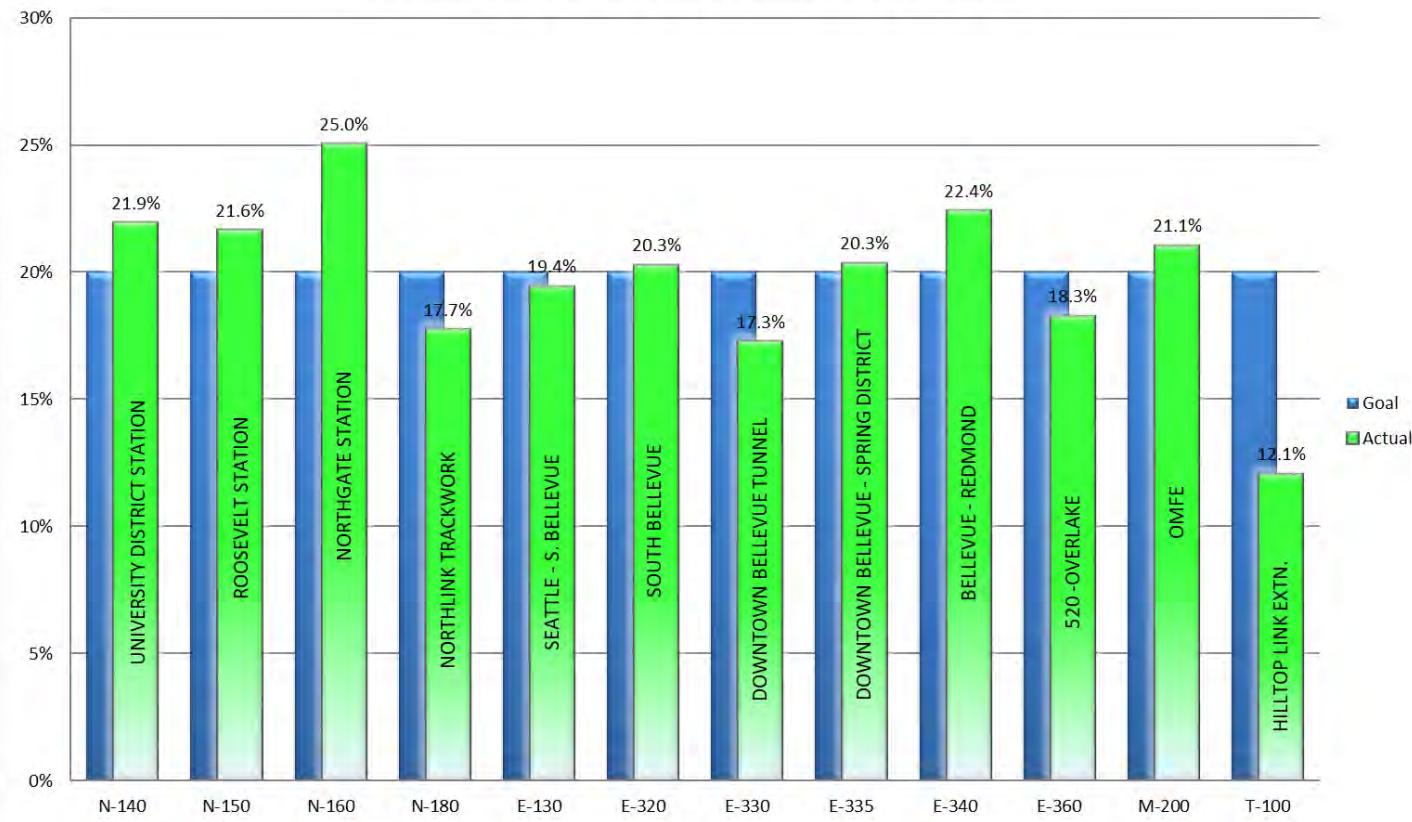


Apprenticeship Utilization Goal is 20% of all hours worked

2019 All Projects 21.3%

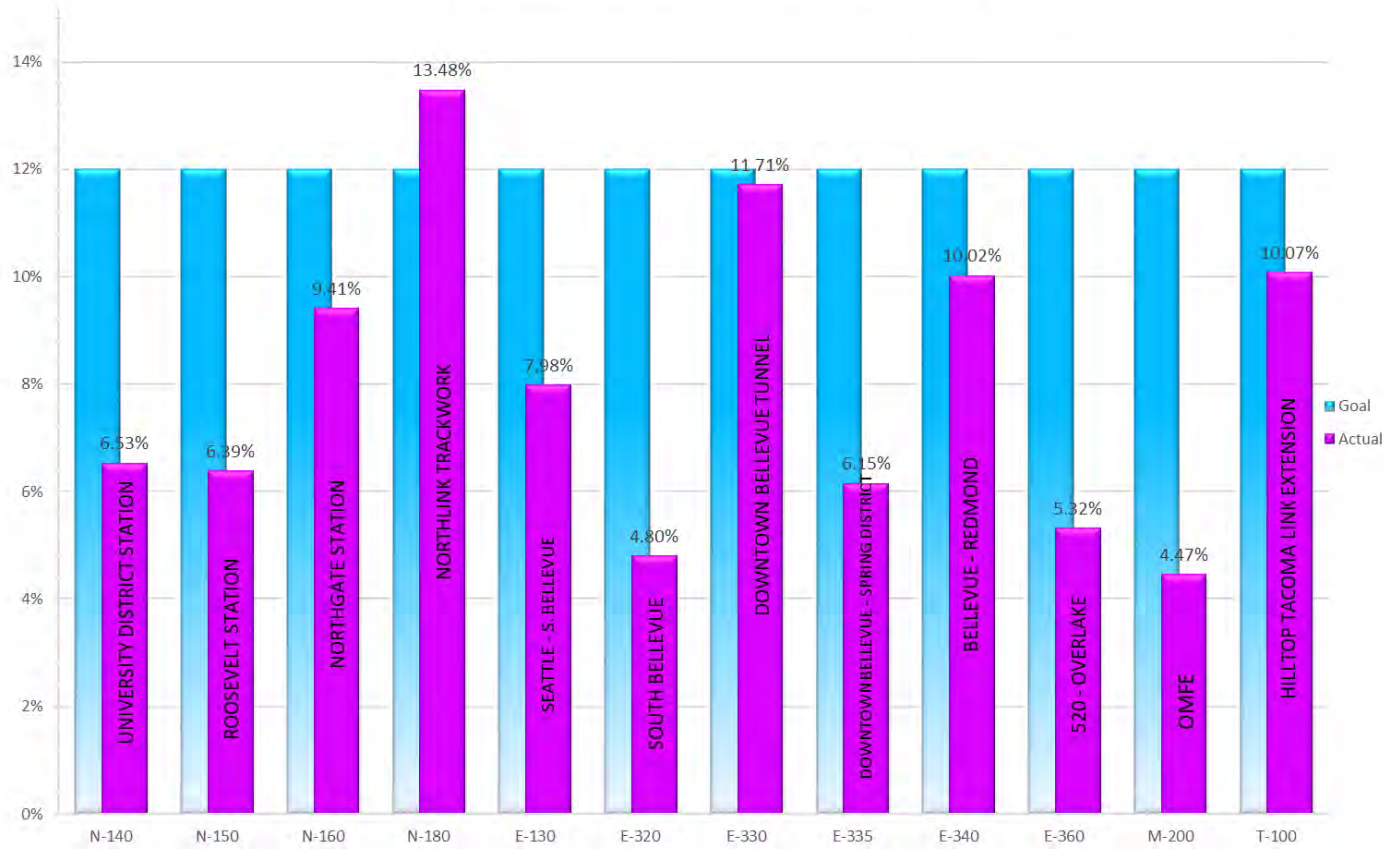
### Apprenticeship Utilization on Active Projects Through January 2020

(Based on total workforce hours worked since project start)



## Participation of Women on Active Projects Through January 2020

(Based on total workforce hours worked since project start)



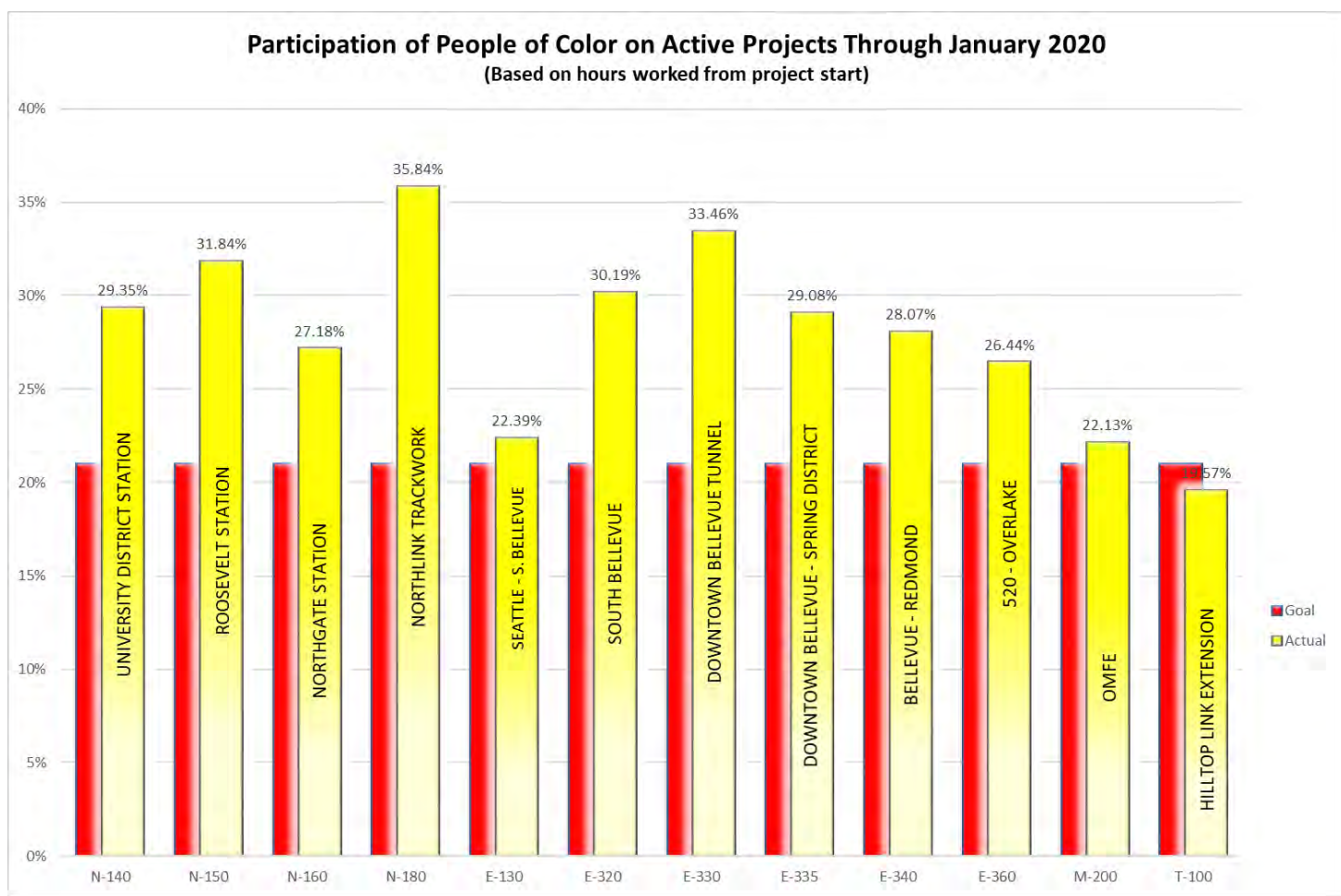
Female  
Participation  
Goal is 12% of  
All Hours  
Worked

2019 All Projects  
7.3%

2018 National Average is  
3.4%

People of Color  
Participation  
Goal is 21% of All  
Hours Worked

2019 All Projects  
27.0%



***Hilltop Tacoma Link Extension Project  
Diversity Goal Performance***

# *Why we are here*

- Report on Workforce Diversity results for HTLE project
- Describe Monitoring and Compliance Efforts for PLA Workforce goals on HTLE Project
- Describe and Report on DBE compliance efforts for HTLE Project





CENTRAL PUGET SOUND

REGIONAL TRANSIT AUTHORITY

### **Project Labor Agreement**

For the Construction of  
Sounder Commuter  
and  
Link Light Rail Projects



As amended through June 18, 2014

# **Sound Transit Project Labor Agreement (PLA)**

## **Workforce Diversity Goals**

- 21% of all hours shall be worked by People of Color
- 12% of all hours shall be worked by Women
- 20% of all hours shall be worked by Apprentices

# Monitoring PLA Workforce Goals

## LCP Tracker

- All contractors submit their certified payroll weekly
- All hours worked are reported by workers craft, ethnicity, gender and home zip code
- Diversity reports are generated and shared with Joint Administrative Committee (JAC) and other stakeholders comparing diversity goals vs achievement



# HTLE Diversity Performance Timeline

**September 30, 2019**

Meeting with Walsh to inform them the T100 project was not meeting PLA Goals

**People of Color  
Attainment**

**15.3%**

**December 1, 2019**

Reviewed Diversity performance to ensure compliance

**People of Color  
Attainment**

**16.8%**

**December 17, 2019**

Reviewed Diversity Performance in Preparation of Board Presentation

**People of Color  
Attainment**

**17.7%**

# HTLE Diversity Performance Timeline

January 15, 2020

Walsh presents goal attainment to the January JAC meeting

People of Color Attainment

19.6%

June 2020

Walsh has Committed to FULL goal attainment

People of Color Attainment

21.0%

Female Participation Attainment

12.0%

Apprenticeship Utilization

20.0%

# Walsh Diversity Performance Timeline

**September 30, 2019**

Meeting with Walsh to inform them the T100 project was not meeting PLA Goals

**People of Color  
Attainment**

**25.9%**

**December 1, 2019**

Reviewed Diversity performance to ensure compliance

**People of Color  
Attainment**

**27.2%**

**December 17, 2019**

Reviewed Diversity Performance in Preparation of Board Presentation

**People of Color  
Attainment**

**27.3%**

# *Enforcement of Workforce Diversity Goals*

- Contractor to work with JAC to receive help in meeting or exceeding goals
- Worksite compliance visits
- Notice of Non-Compliance issued by Resident Engineer
- Corrective Action Plan
- Post-Contract Contractor Performance Report



# Next steps

- **Sound Transit has initiated a Corrective Action Plan with Walsh on the HTLE Project**
- Walsh will provide and Sound Transit will approve a timeline for anticipated compliance with workforce diversity goals
- Walsh will continue to report project goal attainments monthly to the PLA Joint Administrative Committee (JAC).
- Business & Labor Compliance will continue monitoring and reporting on goal attainment.



# *Monitoring DBE Program Compliance*

- **DBE Program Plan – Monitoring Requirements**
- **B2GNow Compliance Monitoring System**
- **Diversity Contract Provisions**





# Hilltop Link Extension DBE & SBE Participation

| Type | Goal | Commitment | Attainment |
|------|------|------------|------------|
| DBE  | 4.0% | 4.02%      | 2.26%      |
| SBE  | 8.0% | 32.89%     | 8.00%      |

*Walsh is on target to meet the aggregate DBE and SBE goals*



# ***Workforce Development Initiatives***

“Regionally, there is forecasted to be a construction occupational supply shortage of 9%-10% during the 2018-2042 period.”

–*Sound Transit ST3 Workforce Analysis*,  
March 2017 by Community Attributes Inc. (CAI)

# *Four Workforce Development Initiatives*

1

- Pre-apprentice Training Programs

2

- Retention Support Services

3

- Mentorship Matters®

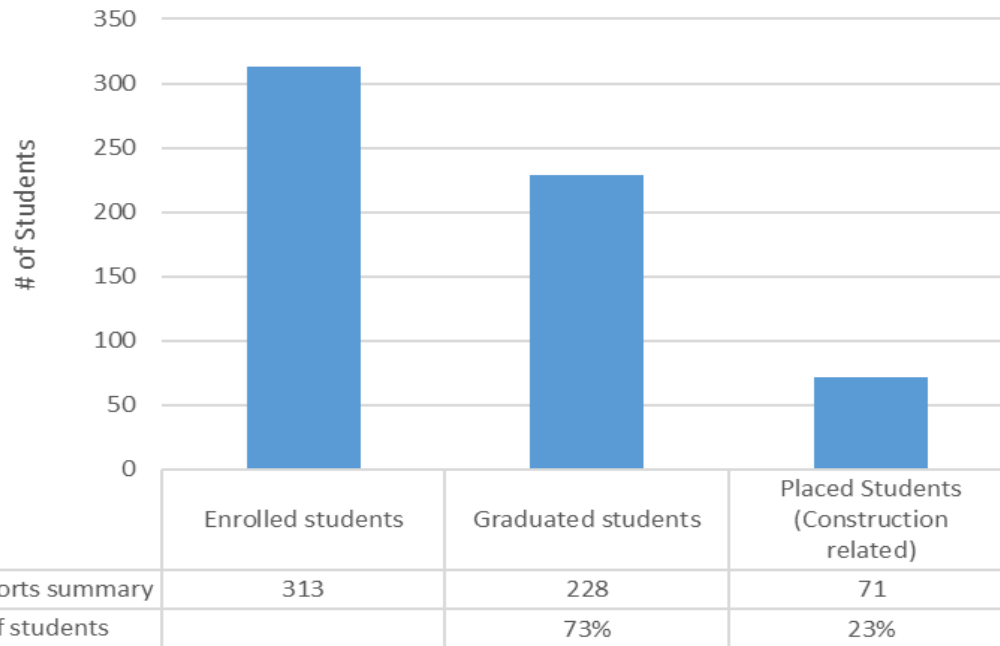
4

- RISE UP

# 1

## • Pre-apprentice Training Programs

2019 Pre-apprenticeship Cohorts Summary



2019  
Pre-Apprenticeship Training  
Results

313 Students Enrolled

228 Students Graduated

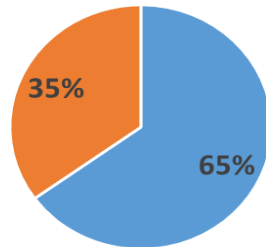
71 Students Placed (to date)

## 2019 Program Totals

237 (76%) are **People of Color**

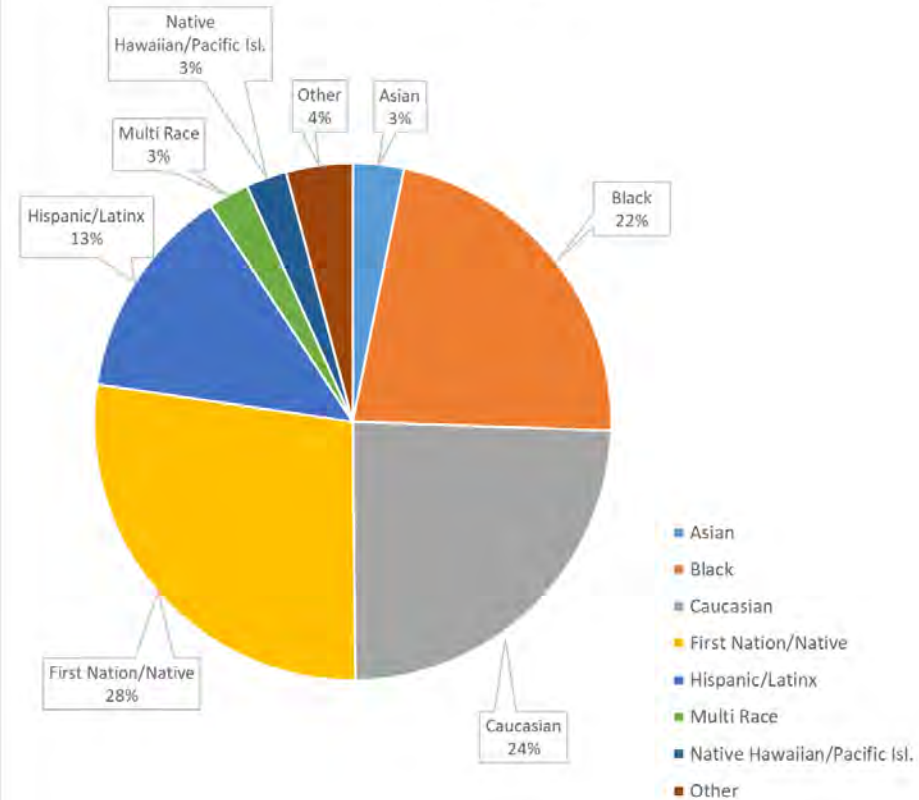
109 (35%) are **Female**

Gender Participation



■ Men ■ Women

Race/Ethnicity





# 2

## • Retention Support Services

### 2019 Support Services Provided

- **Urban League of Seattle**
  - 40 Drivers License Reinstated
- **Apprenticeship Opportunities Project (AOP)**
  - 105 workers supported with barrier removal support services
- **Tool Center (Tacoma WA)**
  - 31 people supported with barrier removal support services





# 3

## • Mentorship Matters®



### **Mentorship Matters ®**

- Training journey level workers how to mentor and transfer knowledge to apprentices
- Training apprentices on soft skills and how to access resources
- 51 journey people trained
  - Overall evaluation score 4.7 out of 5
- 49 apprentices trained
  - Overall evaluation score 4.8 out of 5

# 4

- RISE UP



## Knowledge, Tools, And Skills For Creating a Respectful Workplace

Training for Individuals in a Supervisory or  
Job Management Role



“From 2019-2023, Sound Transit can expect a local labor deficit of 6.2% for the occupations needed to complete ST2 and ST3.”

–*Sound Transit Construction Workforce Analysis*,  
December 30, 2019 by Community Attributes Inc. (CAI)

Thank you.

*Thank you.*



[soundtransit.org/blc](https://www.soundtransit.org/blc)

