



## Agenda/Notes

Office of Governor Tina Kotek  
RJC Economic Opportunity Committee  
February 18, 2025 – Zoom  
2:30 – 4:00 pm  
Moderator – Javier Cervantes

### MEMBERS

	Anthony Veliz	X	Janice Mason	E	Marin Arreola
X	Ciara Pressler	X	James Cador	X	Nicole Davison-Leon
	Cobi Lewis	E	Kevin Bumatay		Tiffany Monroe
X	Evann Goss-Lemelle	E	Latiffe Amado		
X	James Alan Parker		Marcus Mundy		

### OTHER ATTENDEES

X	Andre Bealer	X	Sarah Foster	X	Kelly Brooks
X	Jesse Hyatt	X	Yasmin Solorio	X	Chris Wilson (DAS)
X	Edina Haislip (Business OR)	X	Chris Cummings (Business OR)	X	Alexandria Straub (DAS)

Topic/Lead	Notes/Main Points	Decisions/Action Items
Welcome from Jan and James	<i>Jan and James provide welcome and commence meeting.</i>	
BIPOC Caucus Update- (Javier - 3 minutes)	<i>Javier shares the BIPOC Caucus is tentative on attending a future committee meeting due to calendar conflicts. No update at this time.</i>	
Workforce Subcommittee Update	<b>Jan:</b> We are having our next work session next week. So far, they've been hearing reports on recent assessment and reports. Future Ready Annual Report for Year Three came out. Last week we heard on the CIC Committee. We will talk about outcomes next meeting. We meet bi-weekly. Marin and I meet with Jennifer Purcell to prepare for the meeting. The workgroup meets every two weeks.	
Disparity Study Update	<b>Jesse:</b> I won't be going over legislative pieces but will be giving you updates on the Disparity Study recommendations and roadmap.  <i>Jesse shares Power Point "Disparity Study Committees Final"</i>  <b>Jesse:</b> We have recommendations here and will need	

to tailor it for Oregon. On a high level we have created 13-14 month timeline to address all individual recommendations. Some are similar and have been grouped together. Those recommendations can tailor them to be impactful. Now we are reaching out to EOC and other groups as well. We are looking at two committees – a steering committee and an advisory committee.

These have not been fully defined, that is to ensure we get expertise from EOC and partners to ensure they are impactful as intended. The advisory committee will meet quarterly, disseminate current progress. The steering committee is more hands on, will meet monthly and be more of a guide. In the big timeline, each subgroup will have a lot of nuances to it. The steering committee will help guide a lot of that – what agencies, organizations, communities do we need to include. That's where a lot of that work comes in. The steering committee puts in more work than the advisory committee. The goal is to help be hands on as early as needed to steer the car. That was feedback from this group to help with inclusion at the start with each of these pieces, so everything matches the expectations on how everything should work. Wanted to give time for conversation and feedback, the goal we have is over the next 2-3 weeks to initially staff the advisory and steering committees. After those committees meet for the first time, I'm sure they will have recommendations on who to include. First meeting will be kicked off in March.

**Ciara:** Thank you so much for hearing us on the timeline and plan that's measurable. Especially involving us earlier than later. My question is can it be more efficient and effective to just have one committee – like just have the steering committee?

**Jesse:** There's a lot of potential interested parties that want to participate. We anticipate people being interested in the subcommittees, to allow for folks to still touch the work.

**James:** Scale, size? Number of people?

**Jesse:** Looking at 15-ish for steering committee. To big is unwieldy. Advisory committee we are looking at 20-24. Starting to identify internally, this is where your feedback will help - what organizations, individuals, should we ask to join this. There are going to be folks who aren't part of this that we want to make sure are

	<p>part of this, to ensure we get folks in the community to get it staffed. We'll have an official link, attachment, and descriptor that will go out. Will be in your inboxes by end of week, you can forward that as well.</p> <p><b>James:</b> This is still work in progress as far as timeline, etc.?</p> <p><b>Jesse:</b> When email goes out end of week, it will have basic FAQ information as well.</p> <p><b>James:</b> Looking forward to it.</p> <p><b>Jan:</b> Curious about subgroups – are you leaving that to the steering committee to define or do you have some in mind already on topics for subgroups you want to put together?</p> <p><b>Jesse:</b> We have preselected from all the recommendations and based on activities (like legislature or things in process from EO22-15). There is a core team of folks at DAS procurement that will be lead for each of the subgroups, each group will have someone from DAS attached and additional folks from other agencies or orgs/communities that want to be part of that. Steering committee will help define who should be there. How can we do these recommendations that has a sense of urgency and immediacy to it. That is the goal.</p> <p><b>Jan:</b> Thank you.</p> <p><b>Jesse:</b> These committees will not be in lieu of this group getting direct reports. Information and updates will still flow through this committee. Not a prerequisite that you have to be on a committee, it will still flow through this group.</p> <p><b>Jan:</b> With no questions, we can move onto the next agenda item.</p>	
<p><b>Bill 2337 and COBID Manager</b> Chris Wilson, Edina Haislip, &amp; Alexandria Straub - Presenters (20 minutes)</p>	<p><b>Jan:</b> Chris Wilson and Edina, welcome!</p> <p><i>Chris Wilson shares "RJC HB 2337 Presentation"</i></p> <p><b>Chris Wilson:</b> We are here to give you a significant update. Going to turn it over to my colleagues.</p> <p><b>Alexandria:</b> We have legislation in this current session around our disparity study recommendations and the work we're doing to remediate disparities in the state</p>	<p>Committee requests regular updates on COBID.</p>

of Oregon. This is going to be real high level just a quick concept of what we've got that's in this session, House bill 2337. It does two things; the goal is to establish the authority for our small business procurement program and to give us the permission needed for that programming and then to create the certification that will determine eligible firms for that program. Edina is going to speak a little bit more to those the specifics on certification but really this is just the first step towards getting some of that equity work done.

**Edina:** A couple of weeks ago we were asked to partner up and provide some feedback to dash on this bill and we have and that has resulted in amended version that is coming in the next couple of days. The amended reasoning is because we have way too many definitions of small businesses through Oregon statute. I think Secretary of State is tracking like 27 at this point. Some of the things that we identified in previous language was the United States Small Business Administration their definition of small business. Oregon small business enterprise really is prioritizing Oregon based businesses. Oregon economy-based size and number of employees that will be defined in our rules for eligibility criteria and it's really the will be designed once we dive into our rule creation.

**Alexandria:** Business Oregon for the past couple of months has really taken a close look at what's working at other states. The state of Washington just created their own SBA small business enterprise certification out of out of precaution of what's going to happen with DBE certification. They have they have become the first state that has actually gotten a federal green light to have also SBE certification added there. North Carolina, Illinois, a lot of other states already have small business enterprise. Our approach is obviously you can always inform on increasing the procurement accessibility for Oregon small businesses, we are in process of working to define eligibility criteria. Like I mentioned, financial thresholds, employee numbers, to establish. Once developed, hopefully it will be in Oregon's procurement system and officers have all the tools to support businesses and RFP process. We are expanding our training and leveling up.

**Nicole:** We don't have these issues with certifications, so we can have a lot more business issued. Do you need documentation for this program?

**Edina:** Yes, its part of our requirements.

**Christopher Wilson:** As we look at procurement equity, there is something that presents its risks because of the case laws. It's a uniqueness in their law, demographic growth, and their military base. Its just – as we compare ourselves to Washington, we have to bring in a whole lot of other factors because it changes the case law.

**Edina:** Our push is to get as many businesses outside.

**Ciara:** Would love you to report to us on a monthly or quarterly on contacts made.

**Edina:** We don't collect contacts, we collect info who we share information with as of Jan 1<sup>st</sup>. We do have an ongoing workplan. Just invite me back and can share at any point.

**Ciara:** Don't see COBID proactively going to certain events.

**Edina:** We have done all metro and the Portland side but also please share and we will definitely expand. Let us know and we'll be there.

**Ciara:** Encourage you to lean on your team.

**Alexandira:** This is just setting up the conversations for the programming. Too often we look at things in a single focus or in a vacuum. We want to promote we are looking at everything and are not making decisions without the community. When the community sees "we don't see the investment" that's stuff we want to act upon. These are convos to come, and we want to have them together. Things need to be done on both sides to get to the right place.

**James:** Any constraints on data capturing on this?

**Alexandria:** we want to make data driven decisions, but it's hard if we don't have that data. Stuff is happening in the background, so we can bring measures to the table.

**James:** Would those be policy driven solutions then? How are we collecting comprehensive data.

**Javier:** Time check.

	<p><b>James:</b> Thank you to leadership, staff, team, and Secretary of State to ensure procurement and contracting for communities. To follow up on Ciara's comment, in terms of presence, we are seeing opportunity to where government can create solutions and can also partner to create better solutions/outcomes. Truly encouraging how we can tie in people who haven't typically been able to engage and what we can do to change. As we look at that outreach, solution, and marketing - would really encourage continuing that thought process and how we fill in this progress.</p> <p><b>Edina:</b> Absolutely agree. Just got authority to have outreach staff. You are right, it doesn't have to be government, we just partnered with PGE.</p> <p><b>Chris Wilson:</b> Without case law, we don't have action.</p> <p><b>Alexandria:</b> Happy to take questions in the chat.</p> <p><b>James:</b> Really would like to see this be a continuing conversation.</p> <p><b>Javier:</b> Its apart of your committee workplan so we can figure out how to support those efforts.</p>	
<p><b>Grounding on PLA</b> (Kelly Brooks - 20 minutes)</p>	<p><b>Kelly:</b> PLA stands for Project Labor Agreement. The state asset of PLA is required the order was effective immediately however there was this provision in it that said if you're going to be bidding anything out before the end of March you can never have a pre baked exemption and the reason for that is that means those projects or any pretty far into the pipeline, that they've been advertised all that. There was kind of an off ramp for those, what's used to determine whether or not you are eligible for this mandate is whether or not 15% of your onsite construction costs will be in the form of Labor not. Most projects that would be considered a public improvement project would cross that, not all.</p> <p>When the state or any public entity, particularly the state, is investing resources that workers should benefit, the community should benefit. The state as a contracting entity has a responsibility to provide that value when we're building stuff. We are pretty far behind as in terms of the state. By and large they haven't been utilized very much by state agencies when they're contracting and that's created some</p>	<p>Committee requests Kelly return in the future to present updates again.</p>

issues. With the Newberg Dundee, it had legislatively mandated PLA on it. When it went out to bid, it was the only project out that had a PLA requirement on it and it was a single bidder, and it came in high. That's not a competitive bidding environment, right.

It can be a really effective tool to help organize a project and take risk out for work stoppages and other things. PLA kind of puts that marker down and it says "state agencies you need to do this now". There's a risk here that we increase disparity in the process of using this tool and we cannot do that. How are you measuring that, what are the targets? That's part we have the most work to do.

The last piece is the payroll piece, COBID utilization, and data. We need to know not only the utilization rate for the firm serves but who's working on the projects. Attempting to expand the amount of data we have access to measure our performance. That is all tied up into what is a biannual review that comes to the report that the governor has will release that when we look at all that data and see how we're performing against these shared goals of expanding the use of this tool. Also checking on the criticisms of increasing costs when they apply. How are we performing against those basic project delivery metrics and then also how are we incorporating and making sure that we have access and opportunity for everybody when we're using PLA's on our state projects. Next is what has to be included in them. You have to guarantee against strikes lockouts and similar job duties there has to be prompt and effective procedures for resolving labor disputes.

The exemption section, you're talking about any public improvement project - any project that you would be paying for really wage on, which are likely construction projects. Not necessarily any projects that are for design or inspection, emergency construction or maintenance projects, projects that are short duration, lack operational complexity, or involve only one craft or trade. Have spent a lot of time figuring out what "short duration" should mean. At this point, our best thinking on that is one construction season is short duration. ODOT is using a certain number of days. I suspect the rest of the enterprise will end up using that as well. Projects less than those specified days, you're out operational complexity.

It frankly depends on project by project. So, for a transportation project, how many times you're

changing traffic patterns, that kind of thing.

I told Javier, Andre, and Jesse I would need your help because the data we collect, how we collect it, and how we report it, is incredibly important. If there are folks that you've seen in Oregon outside of Oregon that you feel like have done a really good job at this, let me know. PLA's themselves are not the new tool; they've been around for a while. There's a long road ahead of us here with implementation.

**Jan:** Thanks for grounding us and the background. Anything you'd like our assistance on as far as advisory, let us know. Sharing my personal experience on the reviewer side, one thing about these PLA's – the exemption and consequence for not achieving the goals, sometimes as a business owner's hat – paying the fine or consequence is sometimes better for the business than the process is achieving the agreement instead of the true core intention of the agreement. Sometimes paying the penalty is less of a burden than actual follow through of the agreement. I think that's something the government needs to understand. For construction in particular. Having exceptions, your going to have to provide a lot of clarity for the construction industry. If I remember right, the EO doesn't address alternatives for meeting the PLA.

**Kelly:** Governor just sat down with folks last week but yes there are very real experiences with folks not feeling safe and in the traditional apprenticeship hat. How can we have those hard conversations on doing things differently to support people.

**James:** Is there anything you can share from the meeting with Governor and AMAC?



**Kelly:** We committed to continuing the conversation. Felt like everyone came in a spirit of partnership.

**James:** The stakeholder outreach, that did or did not take pace, that led to this Executive Order. Do you feel confident in that stakeholder engagement that lead to the EO? Or would you like to see that improve with EO's that can result and harm or add to the inequities in contract?

**Kelly:** I think this came from a place of direction; this came from 20 years of direct experience of working on these issues. Would say that how we get there together is more inclusive.



	<p><b>James:</b> How do we course correct if necessary if we see it negatively impacting minority or small businesses, within the structure of DAS? Is there something that can be baked in or is it a learn as you grow scenario?</p> <p><b>Kelly:</b> Corrective measures was put in for a reason, a whole lot needs to be flushed out. You know waiting for two years when you see a problem is not always the most effective, so we are looking at it and steps we are taking.</p> <p><b>James:</b> Thanks for keeping us updated and having these ongoing conversations.</p> <p><b>Kelly:</b> Thanks for having me.</p>	
<b>EO-22-15 Spreadsheet Work</b> (Jesse, Jan & James - 30 minutes)	<i>Committee spends time completing the EO spreadsheet from Jesse. Meeting concludes.</i>	Jesse to blend answers and get information to the group.

<b>Meeting Materials</b>	<div>   </div> <div> Disparity Study      RJC HB 2337  Committees - Final.pPresentation 2-17-20 </div>
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