SUMMARY OF RECOMMENDATIONS PROPOSED FROM WORC MINUTES (as of 2/25/16)
*Bolded sections are recommendations with consensus

<u>Code Revisions</u>

- **Rationalization (clean-up) of the code**

  - o **Remove outdated provisions**
  - o **Clarify inconsistent or contradictory language**
  - o Standardize and clarify administrative procedures
  - o Align responsibilities properly
  - o Streamline wherever possible
  - o Consolidate all programs into one chapter with subchapters for each specific program
  - o Redefine "direct financial assistance"

<u>Comptroller 2014 & 2015 Audit Recommendations</u>

- **DPW's response to the 2014 audit recommendations will be implemented and followed by all**
- OSBD and DCD submitted responses to the 2015 audit recommendations.

<u>SBE Program</u>

- Give preference to local SBE firms

- Increase the lowest bid difference requirement of 5% to 10%; City to pay the difference

<u>RPP Certification</u>

- **Elimination of the 5 year certification period.**

- Eliminate RPP certification criteria based on underemployment, 30-day unemployment, and/or poverty free lunch income guidelines.

- Redefine "underemployed", make it less restrictive, and be inclusive of employed workers in unsustainable or low paying jobs.

- All City residents who reside and pay taxes are eligible for RPP certification.

- Implement zip codes or target areas

- Restrict to distressed areas

- Make RPP a race and/or gender program or incentive program

- Incorporate pre-training requirement for RPP candidates prior to working on project sites

- Unite or develop joint certifications with other types of certification programs of other agencies or jurisdictions

- Improve the code on DPW's authority to authorize other entities to certify

- Develop a current official list of authorized certifying agencies

RPP Credits / Incentives / Subsidy / Banking of Hours

- Award developers and employers who have:

    o RPP candidates prior to employment on a project site.

    o RPP candidates training or working on non-RPP projects either inside or outside of the City

    o Hiring of RPP candidates from economically distressed areas based on census tracks

    o Promotion/advancement of RPP candidates under employment

    o RPP candidates having successfully completed apprenticeships under an employer

    o Succeeded RPP participation (be given more points or preference)

- Ability to use banked hours on other current projects or future projects by the same developer

- Do not allow banking of hours

- Only allow subsidies

- Do not allow any incentive or credit

- Make uniform incentive measures across contracts

- Codify incentive measures

RPP Administrative Practices, Procedures, and Requirements

- Reduce, eliminate, or minimize RPP paperwork and ongoing reporting from developers and contractors

- Conduct a focused, upfront gap analysis for every project (short term strategy)

- Require industry collaboration & partnerships for every project (short term strategy)

- Long term strategy is to have industry collaboration to determine true gaps in the macro marketplace and focus on specific trades that are most impactful

- Utilize or require use of outside pre-training or pre-apprenticeship agencies, such as WRTP

- Do no harm (do not make any changes) and let the industry play itself out through partnerships

- Give preference to existing RPP candidates and secondary preference to new RPP candidates

- Give insulation, protection or training to small businesses regarding unintended leverage costs and challenges

- Accelerate City payment terms

- Require more City personnel to enforce the program and ordinance

- Require or incentivize RPP participation from other City departments or all City departments where legally permissible

- Include other industry jobs other than construction

- Require vocational trades at the high school level

- Reinstate agreements with technical schools relative to training

- Use TIFs to fund training programs

- Make a RPP worker pipeline list accessible and available online

- Ensure manpower behind updating a pipeline list

- Do not make a RPP worker pipeline list accessible and/or available online

- Make RPP certification form accessible and available online

- Make RPP certification affidavit form accessible and available online

- Simply and provide clear instructions for RPP certification

RPP Tracking, Monitoring, and Reporting

- **One entity as a depository of information and to collect data, monitor, enforce, report and present outcomes**

- **One standard format for reporting**

- **One record keeping program across programs**

- **Use the City's LCPTracker as the one central depository system moving forward for the collection of RPP data for all City departments engaged in mandatory or voluntary RPP program participation**

- Incentive non-City employers to report to the same system

- Use ETO system as the one, uniform software system from MAWIB

- Provide clear instructions to integrate payroll systems to LCPTracker

- Track where workers are coming from

RPP Non-Compliance, Penalties, and Waivers

- Ability to use non-RPP City residents to fill in gaps if all avenues have been exhausted

- Make non-compliance measures and guidelines uniform across contracts

- Codify non-compliance measures

- Authority to have discretion on a case by case basis to apply sanctions or penalties

- There should be a variety of penalty options depending on the circumstances, including project size and contract type

- Non-compliance or penalty measures may include:

  - Retaining or withholding of monetary payments (either by amount or percentage)

  - Banning a developer from acquiring a future contract

- Use the money that is withheld to create RPP in other capacities

- Allow a developer, who has failed to meet the RPP requirement, to fulfill the requirement on other or future projects from that same developer

- City departments to send contractors and developers who fail to meet RPP requirements to one agency or department to deal with waivers

RPP Participation Requirement

- Reduce the participation requirement from 40%

  - Especially if restricting RPP to distressed areas, certain areas, or zip codes

- Set the participation requirement on a case-by-case basis unique to the industry trade or project

- Consult with developers prior to setting RPP participation requirements

- Clarify the scope of RPP participation requirement on a project relative to the financial assistance and its application either on only the funded portion or the entirety of the project