

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LAW AND GOVERNMENT

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, November 22, 2016
10:15 a.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, CHAIR
COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILWOMAN CINDY BASS
COUNCILMAN DEREK S. GREEN
COUNCILWOMAN HELEN GYM
COUNCILMAN BOBBY HENON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN DAVID OH
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ

BILLS 160678, 160679, 160840, 160971, and
160972
RESOLUTION 160981

- - -

1
2 COUNCILMAN GREENLEE: Good
3 morning, everybody. Can I have
4 everybody's attention, please. This is
5 the Committee on Law and Government. We
6 have attained a quorum with Council
7 President Clarke, Councilwoman Gym,
8 Councilman Green, and myself, Bill
9 Greenlee.

10 Ms. Marconi, will you please
11 read the title of the first bill before
12 us today.

13 THE CLERK: Bill No. 160840, an
14 ordinance amending Title 9 of The
15 Philadelphia Code, entitled "Regulation
16 of Businesses, Trades and Professions,"
17 by adding a new Chapter on wage equity
18 prohibiting employers from inquiring
19 about salary history, including
20 definitions, duties, penalties, posting
21 requirements, a private right of action
22 and other related items regarding wage
23 equity; all under certain terms and
24 conditions.

25 COUNCILMAN GREENLEE: Thank

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 you.

3 Before we have our first
4 witnesses, I just want to make a short
5 statement on this bill, which together
6 with Councilwoman Reynolds Brown I'm the
7 sponsor of.

8 This bill, in short, is about
9 fairness and equity. Councilwoman
10 Reynolds Brown has spoken repeatedly over
11 the years about the inequity that women
12 and minorities experience regarding
13 wages. I'm not going to repeat all the
14 statistics because we're going to hear
15 from the witnesses who say that, but I
16 think what is telling is if it was made
17 an even plane, according to the Bureau of
18 Labor Statistics, women could provide 80
19 more weeks of food for her and her family
20 and pay for more than 12 additional
21 months of rent, and I think that's
22 obviously very significant.

23 While this bill won't solve the
24 entire problem of wage inequity, if
25 employers do not base wages on past wages

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 that someone makes, at the very least
3 inequities are not perpetuated. And if
4 you just think about it, why should past
5 wages really matter? Shouldn't wages be
6 based on the responsibilities of the job
7 and the abilities of the employee?

8 So I respectfully hope that
9 after hearing testimony, the Committee
10 will move this bill forward.

11 And just for the information of
12 the Committee, we will be offering
13 amendments at the meeting, and just to
14 make it clearer, what we're doing is
15 taking out this bill and putting in
16 basically a new bill, because we are
17 changing the section of the Code that
18 this bill is in. So rather than crossing
19 out everything, we're just basically
20 putting in actually probably what would
21 be called a clearer bill.

22 So with that, unless the
23 Committee has any other statement, Ms.
24 Marconi, why don't you call the first
25 witnesses, please.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 THE CLERK: Rue Landau and
3 Jovida Hill.

4 (Witnesses approached witness
5 table.)

6 COUNCILMAN GREENLEE: Good
7 morning.

8 (Good morning.)

9 COUNCILMAN GREENLEE: You know
10 how this place works. Please identify
11 yourself for the record and proceed.

12 MS. HILL: Good morning. I'm
13 Jovida Hill, Philadelphia Commission for
14 Women.

15 MS. LANDAU: I'm Rue Landau,
16 Executive Director of the Philadelphia
17 Commission on Human Relations.

18 COUNCILMAN GREENLEE: Thank
19 you. Whoever would like to go. Rue, I
20 think your name was mentioned first, so
21 why don't you go.

22 MS. LANDAU: Good morning,
23 Chairman Greenlee and members of the
24 Committee on Law and Government. I'm Rue
25 Landau, Executive Director of the

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 Philadelphia Commission on Human
3 Relations. As you know, the Commission
4 is the City agency that administers and
5 enforces the Fair Practices Ordinance,
6 the City law protecting people from
7 unlawful discrimination in employment,
8 public accommodations, housing, real
9 property, and the delivery of City
10 services. Bill No. 160840 will amend the
11 Fair Practices Ordinance to ban the
12 discriminatory use of wage history in
13 hiring decisions.

14 Thank you, Councilman Greenlee
15 and Councilwoman Blondell Reynolds Brown,
16 for introducing this important bill and
17 for giving me the opportunity to testify
18 in favor of it.

19 According to a 2015 U.S. Census
20 report, women working in Pennsylvania are
21 paid only 79 cents for every dollar a man
22 earns. In real numbers, median annual
23 earnings in Pennsylvania are \$51,212 for
24 a man and \$40,742 for a woman. Not
25 surprisingly, women of color are paid

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 even less. African American women are
3 paid 68 cents, Latinas are paid 56 cents,
4 and Asian women are paid 81 cents to the
5 dollar paid to men. These disparities
6 are egregious and they narrow only
7 slightly each year.

8 Change has been so slow that
9 experts believe that the gender and
10 racial pay gap in the United States will
11 not close until at least the year 2059.
12 A major hurdle in closing the gap was the
13 recession of 2007 to 2009 and its
14 aftermath, when family income dropped
15 significantly while poverty rose.
16 According to the U.S. Bureau of Labor
17 Statistics, during the recession, the
18 U.S. lost 8.4 million jobs and
19 unemployment peaked at 10 percent. As a
20 result, many people had to accept jobs at
21 significantly lower wages to feed their
22 families and keep roofs over their heads.
23 The recession affected everyone,
24 particularly people who were already
25 underemployed and underpaid.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 It stands to reason that the
3 practice of asking an applicant's wage
4 history during the hiring process can
5 perpetuate wage inequality, low wages,
6 and poverty. In short, a jobseeker who
7 has suffered from the wage gap can only
8 be harmed when required to disclose her
9 salary history. This issue applies to
10 women, people of color, disabled people,
11 immigrants, and members of the lesbian,
12 gay, bisexual, and transgender community
13 who are disproportionately underemployed
14 and underpaid.

15 Salaries should be set by the
16 skills and qualifications associated with
17 the job. The individual characteristics
18 that should be relevant to the employer
19 are an applicant's skills and experience,
20 not wage history.

21 As the agency charged with
22 enforcing the Fair Practices Ordinance,
23 we at the PCHR understand that the wage
24 gap is real. Philadelphia jobseekers and
25 employees already struggle to get or

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 maintain decent, stable employment in
3 this challenging job market. We must
4 remove as many hurdles as possible from
5 the employment process so that we can get
6 people to work, providing for their
7 families.

8 Bill No. 160840 will help to
9 break the cycle of wage inequality and
10 discrimination. It will prohibit
11 inquiries into wage history by employers
12 and employment agencies. Employers will
13 be barred from inquiring about, relying
14 on or retaliating against a prospective
15 employee based on the person's wage
16 history. It excludes actions that
17 specifically authorize the disclosure or
18 verification of wage history pursuant to
19 federal, state or local law. The PCHR
20 supports Bill 160840 as proposed to be
21 amended.

22 Thank you for the opportunity
23 to testify today, and I'm happy to answer
24 any questions.

25 COUNCILMAN GREENLEE: Thank

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 you. And as I always say, thank you for
3 all the good work that the Human Relation
4 Commission does.

5 Before we have questions,
6 Ms. Hill, why don't you go.

7 MS. HILL: Okay. Good morning,
8 Chairman Greenlee and members of the
9 Committee on Law and Government. I am
10 Jovida Hill, Executive Director of the
11 Philadelphia Commission for Women. This
12 Commission was created by a ballot
13 initiative approved by Philadelphia
14 voters in May 2015, and I was recently
15 appointed its Executive Director in June
16 of this year. I am here to testify in
17 support of Bill No. 160840, which calls
18 for a prohibition on inquiries into wage
19 history by employers and employment
20 agencies.

21 The Commission has a social
22 justice agenda that promotes civic,
23 educational, and economic policies that
24 enhance the lives of women and girls at
25 all stages of their lives through the

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 advocacy of equal rights and economic
3 opportunities.

4 I would like to thank you,
5 Councilman Greenlee, and Councilwoman
6 Reynolds Brown for introducing this bill
7 that has the potential to help close the
8 gender gap and lift families out of
9 poverty. I would especially like to
10 thank Councilwoman Reynolds Brown for her
11 year in and year out relentless advocacy
12 on behalf of women and children.

13 It is no secret that
14 Philadelphia is among the poorest of
15 major cities in this nation. According
16 to a recent report from Public Citizens
17 for Children and Youth, despite an
18 economic recovery, the poverty rate among
19 Philadelphia's children is still in
20 recession. The numbers are startling.
21 The child poverty rate in Philadelphia in
22 2015 was 38.3 percent. That's 130,800
23 children as compared to 31.5 percent at
24 the start of the recession. Half of
25 these children are living in households

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 where the family income is \$10,000 or
3 less. Many of these families are headed
4 by women.

5 This Committee is well aware of
6 the wage gap. In Pennsylvania, women are
7 paid 79 cents for every dollar a man
8 makes. The prospects for women of color
9 are worse. African American women are
10 paid 68 cents for every dollar paid to
11 men. Latinas are paid 56 cents for every
12 dollar earned by men. Asian women fared
13 better, earning 81 cents for every dollar
14 paid that a man makes, but 81 cents is
15 still not a dollar.

16 Over the course of a woman's
17 working life, estimated to be 47 years,
18 the wage gap is significant. According
19 to calculations by the National Committee
20 on Pay Equity, for a woman with a high
21 school education, the difference can
22 amount to \$700,000, \$1.2 million for a
23 woman with a college degree, and \$2
24 million for women with advanced degrees.
25 This pay inequality also affects a

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 woman's income and retirement and is a
3 continuing factor to the number of
4 elderly women living in poverty.

5 This is neither equal or fair.
6 The National Committee on Pay Equity
7 surmises that at the slow rate of pay
8 equity, women's wages won't equal a man's
9 until 2059. This means that my
10 13-year-old granddaughter will be 56
11 years old before she can expect to earn
12 the same income as a man.

13 Bill No. 160840 cannot alone
14 resolve pay equality. If legislation
15 were a remedy, the gap would have been
16 closed 53 years ago when the federal Pay
17 Equity Law was enacted in 1963. By
18 barring employers from asking salary
19 history questions, a woman has a better
20 chance at improving her salary prospects
21 by removing pay bias rather than
22 languishing at the lower rungs of the
23 income ladder. It is encouraging that
24 Philadelphia is following in the
25 footsteps of Massachusetts that recently

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 enacted a similar wage equity bill.

3 Most important, when women earn
4 more, families earn more. Wage equity
5 improves the quality of life of families
6 and for children. It is one more thing
7 that we can do to change the unfortunate
8 and unacceptable narrative of poverty in
9 our city.

10 I thank you very much for this
11 opportunity to testify, and I'd be happy
12 to answer any questions you may have at
13 this time.

14 COUNCILMAN GREENLEE: Thank you
15 both.

16 Councilman Green.

17 COUNCILMAN GREEN: Thank you,
18 Chairman Greenlee.

19 I've noticed this
20 legislation -- similar examples of this
21 legislation is going to affect various
22 cities. How does this legislation
23 compare to New York's law and other
24 similar legislation?

25 MS. LANDAU: It hasn't passed

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 in New York yet. It was introduced, but
3 it hasn't passed.

4 COUNCILMAN GREEN: Okay. I was
5 just in New York on Wednesday.

6 MS. LANDAU: Massachusetts
7 state has a law.

8 COUNCILMAN GREEN: Well, I
9 guess the proposals, are they different?
10 I mean, just give me some perspective.

11 COUNCILMAN GREENLEE: I guess I
12 could probably answer that better.
13 Actually, the Massachusetts law goes a
14 little wider than we do. We're trying to
15 keep it real basic, and I think you'll
16 hear from a witness that thinks we don't
17 make it strong enough, but we're trying
18 to find that great balance that we always
19 try to in legislation and at least at
20 this point limit it to stopping the
21 employer from asking, directly asking,
22 the prospective employee what they make.

23 Massachusetts law goes a little
24 farther as far as how far the employer
25 can inquire, and we're not ready to go

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 there yet and we think that could have
3 added more controversy to the bill. As
4 you know, we always are open -- if this
5 bill passes and we find as time goes on
6 that it's still not strong enough, we can
7 always add something. We can always --
8 but we want to try to keep it real basic
9 as far as the inquiry of past wages.

10 COUNCILMAN GREEN: I saw an ad
11 for a similar legislation in New York
12 recently and that's what made me think
13 how comparable it was.

14 COUNCILMAN GREENLEE: And I
15 think some of the prospective laws -- in
16 fact, there's even been one offered
17 nationwide by Congresswoman Holmes
18 Norton. So they're all a little bit
19 different. You know, I will admit for
20 the record that this is probably less
21 restrictive than some others, but it's a
22 start, I guess is the best way to say it.

23 Anything else, Councilman?

24 COUNCILMAN GREEN: No.

25 COUNCILMAN GREENLEE:

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 Councilman Oh and then Councilwoman Gym.

3 COUNCILMAN OH: Thank you very
4 much, Mr. Chairman. I, first of all,
5 appreciate your work, as always.

6 The Chairman and I sometimes
7 disagree. This is one where we do
8 disagree, and I'm just putting out
9 publicly, so you can give me any type of
10 response that you would like.

11 So do we have a law in
12 Philadelphia that says you cannot
13 discriminate in wages against women,
14 religion, that type of thing? We have a
15 law or we don't have a law?

16 MS. LANDAU: We do have -- the
17 Fair Practices Ordinance says that you
18 can't discriminate against 16 protected
19 categories, including sex, in employment.

20 COUNCILMAN OH: So we already
21 have a law that says I cannot hire a man
22 and pay him more for the same job as a
23 woman. It's already the law. No?

24 MS. LANDAU: You can't
25 discriminate when you have the same job,

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 and what should be set is the same wages.

3 I also -- this is a different law than

4 that, though, I want you to know. What

5 we have now is an ordinance that says you

6 can't inquire about past wage history in

7 order to set the standard for what the

8 jobseeker is --

9 COUNCILMAN OH: So I very much

10 agree with the goal. What I'm concerned

11 about is how we get to that goal. In

12 other words, if I put out an ad saying

13 I'm hiring a worker at my company for

14 45,000 plus benefits, you come in, I

15 don't ask you anything about your wage

16 history, but at the end of the day, I

17 hire you for 45,000. A man comes in, at

18 the end of the day I hire him for 55,000.

19 I didn't ask anything about the prior

20 wages or anything. I still end up with a

21 disparity in wages. So I don't know how

22 much of this addresses that problem. My

23 concern is that I wonder how much -- and

24 I think it will -- reduce hiring overall

25 in Philadelphia, in my opinion,

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 especially for small businesses, smaller
3 businesses and start-up businesses.

4 I'm an employer and I have done
5 a lot of employing in my time, and it is
6 very typical that when we hire people, we
7 have discussions in an effort to meet
8 their needs. So if I put out a -- if I'm
9 looking for resumes and I interview
10 someone, it's going to be the case almost
11 95 percent of the time that we're going
12 to have a discussion. I say, You're the
13 best applicant here. You got the job.

14 And someone says to me, Well,
15 not so fast. I like the job. I really
16 truly want to be here, but I can't at
17 this salary. Here's what I need.

18 And I say, Well, I can't afford
19 that. Do you really need that? How
20 about this?

21 No.

22 And then we get into a
23 discussion, because I'm going to have to
24 come up with some more money. And it's
25 hard to have a negotiation and a meeting

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 of the minds without knowing something
3 about where the employee is, what they
4 want, what they truly want, where they
5 are. And so it is kind of normal, at
6 least in my experience, as a
7 prospective -- as a candidate for
8 employment and as an employer that I will
9 come up to the point where I want to know
10 how much you're making, what do you want
11 to make, to see how can we get there.
12 Maybe I could pay you this and then in
13 six months, I'll bump it up here. Maybe
14 I have to forego buying that equipment
15 that I was going to get. Maybe I'm
16 thinking about someone who is going to
17 retire next year. I got to figure out
18 how much money, but I can't do that
19 blindly.

20 If at the end of the day I
21 cannot have that discussion -- now, I
22 understand this says voluntarily. You
23 could just volunteer, Hey, this is how
24 much I'm making.

25 Do I want to go down that road?

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 Do I want to end up when I don't hire you
3 facing a lawsuit where you claim that I
4 asked you about your salary? Doesn't
5 that encourage me not to hire in
6 Philadelphia? And I do have a concern,
7 because we have people that are
8 successful with small businesses and we
9 have people who are unsuccessful in small
10 businesses, but by and large, I'm going
11 to say that employment in Philadelphia
12 has declined by 250,000 jobs since 1950.
13 So we're not increasing jobs; we're
14 decreasing jobs.

15 MS. LANDAU: Councilman Oh,
16 thank you very much for that, and I fully
17 believe you're exactly who we want in the
18 City, a great employer who looks at all
19 of these issues, weighs them, and doesn't
20 discriminate against anybody.

21 There's nothing in this law
22 that stops you from negotiating a salary.
23 It stops you from asking for past wage
24 history. And if there are employers who
25 are using your past wage history to set

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 the standard and set the salary for the
3 job based on the fact that you made
4 \$30,000 at your last job, so giving you
5 \$35,000 for this job is a raise versus
6 the \$45,000 that this job you believed
7 was worth before you saw the wage
8 history, that's what it's stopping you
9 from doing, from using someone's past
10 wage history to set what their current
11 salary will be. It doesn't stop you from
12 negotiating a salary. If you think your
13 job is worth \$45,000 and someone comes in
14 with 20 years experience, you might want
15 to pay him a little bit more. You
16 also -- what you're saying, though, this
17 is the floor. The job is worth at least
18 \$45,000. And that's all this does.

19 The second thing I also wanted
20 to make sure that we put on the record is
21 that there is a federal law, the Equal
22 Pay Act as well, that governs these
23 things. So we've got law that says that
24 we need to pay each other -- pay people
25 equally and we've got our local, state,

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 and federal anti-discrimination law.

3 I think, and the PCHR strongly
4 believes, that taking out any obstacles
5 that employers could use to make an
6 imbalance or to pay people differently or
7 to discriminate is a very important thing
8 to do. This is one of these barriers.

9 We recently had -- I believe
10 Councilman Green introduced a ban on
11 credit reports, and that also was an
12 element introduced into the Fair
13 Practices Ordinance. Again, just another
14 obstacle that people can use. You can't
15 look back on an applicant's credit
16 reports and you can't look back on their
17 wage history to use that as a standard of
18 what you're doing for hiring.

19 COUNCILMAN OH: I understand
20 what you're saying, and I will say that
21 if the goal is to prevent disparity in
22 wages based on gender, this would apply
23 to men as well as to women.

24 MS. LANDAU: Absolutely. And
25 it also applies to people of color and to

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 the LGBTQ community and the disabled
3 community, all of whom are underemployed
4 or underpaid.

5 COUNCILMAN OH: Right. And so
6 at the end of the day, by not asking what
7 your prior wages were, you believe that
8 that will even out wages in the City of
9 Philadelphia, that because employers
10 cannot ask what you previously made or
11 what you're currently making or two years
12 ago before you stopped working
13 voluntarily, you were making what, and
14 that will kind of even out wages.

15 MS. LANDAU: Yeah. And why
16 does that matter what somebody made two
17 years ago?

18 COUNCILMAN OH: Well, it
19 matters if you're hiring them. I mean,
20 it matters to me. I mean, how many
21 people hire people here? I mean, we have
22 a City Council. I don't know how many
23 people -- I know we have some, but, you
24 know, I mean, the assumption that
25 employers -- because it's an assumption.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 You're working on those bad apple
3 employers, but you're making a law that
4 really affects a lot of employers. I
5 don't have the same perception of
6 employers, small business, large
7 business.

8 MS. LANDAU: We have wonderful
9 employers here in Philadelphia, wonderful
10 employers.

11 COUNCILMAN OH: So if you have
12 a federal law and we have the Fair
13 Practices law, there's an additional law
14 now that is directed towards employers,
15 as they are challenged in many cases
16 trying to get an employee who has certain
17 desires and wants, may lack certain
18 qualifications, may be overqualified, and
19 employers are trying to reach a point
20 where they can -- most of the time you're
21 trying to hire the person, you're not
22 trying to take advantage of the person.
23 You're trying to hire the person, but
24 what they want and what you have
25 available is many times, not all the

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 time, there's a difference of what you
3 have and what they want. You try to
4 narrow that gap in a reasonable,
5 practical way. One of the things that
6 you do have a discussion about is -- and,
7 listen, I have it with my interns as
8 well. Like if you want to come here, how
9 many hours can you work, are you going to
10 school, what are your needs, should you
11 be here full time, do you have a job, we
12 can make ends meet over the summer, what
13 can we do, what's the type of experience,
14 how can I address what you want. It's
15 kind of a normal conversation.

16 If I was convinced that this
17 law would eliminate this or very much
18 narrow the disparity between equal
19 workers who are being discriminated
20 because of race, religion, gender, I
21 would support it. I don't really believe
22 that it does that, and I do that from the
23 experience of being an employer for 18
24 years and knowing other employers and
25 working with people.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 You know, my concern is not
3 that this is a harmless bill. My
4 concern -- and I may be wrong, because we
5 have a lot of different minds here, the
6 wonderful thing about everybody being
7 smart and together, but I really would
8 like to -- and I'm not trying to
9 challenge everybody, but I'd like to
10 really see your best. And I may be in
11 the minority here, so it may not matter,
12 but I'd like to really know how does
13 this, to the extent it can, remove that
14 disparity? To what extent would it
15 discourage hiring in the City of
16 Philadelphia? Why wouldn't I as an
17 employer with all the things I got to do
18 just go to a temp agency, bring a temp
19 in, and work it out from there? Or why
20 not just hiring outside of Philadelphia
21 and bringing them to work in the City
22 after I've hired them? What is the
23 reason that this kind of creates more
24 employment opportunities as opposed to
25 less?

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 MS. LANDAU: Councilman, I'll
3 add to that. I believe I've addressed
4 this, but the only thing I'll add to this
5 is that the goal is to get people to set
6 a base salary for the job before they
7 start hiring. And bringing in a temp
8 from a temp agency, you know how much
9 you're going to pay for that job. This
10 isn't going to be a negotiation. This is
11 all the -- all this bill is asking is
12 that we set -- that employers start
13 setting the salary or the wages for that
14 job before they start hiring and then not
15 asking -- and not basing it on someone's
16 wage history.

17 COUNCILMAN OH: Well, salaries
18 are set. They don't have to be set at
19 the highest. They don't have to be set
20 at the lowest. They're just set. And
21 then when you meet the individual after
22 you've reviewed resumes, you find that
23 you like one more than the other, but
24 their ask may be too high or their ask
25 may be too low. If it's too low, you

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 say, Listen, that's too low, we can do
3 this, because I didn't expect that you
4 had a Master's. You're overqualified,
5 but we need you, we'll give you more,
6 we'll do this.

7 MS. LANDAU: Councilman Oh, for
8 the scenario that you gave me, if you had
9 a job that you set at \$45,000, an
10 applicant came in who only made \$30,000
11 in her previous job, would you then set
12 her job salary at 35 because you could?
13 It's lower than what you were planning to
14 spend.

15 COUNCILMAN OH: No. That's not
16 what I advertised. And employers
17 don't -- if you're advertising a job for
18 45, someone walks in and said, I made 30,
19 you're like, Great, you'll make 32. No;
20 it's 45. You come in. You meet the
21 skills.

22 People want a happy, good
23 worker, because firing a worker or losing
24 a worker is, listen, worth a lot more in
25 damages to your company and to your

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 business than the \$10,000. If you could
3 give more, you try to give more, you
4 know. The challenge for me is not
5 Comcast. The challenge for me is stores
6 in neighborhoods where people are looking
7 for employment, for people who don't have
8 a college degree, for people who have a
9 prison record. They're struggling to
10 find jobs and, you know, any time we have
11 a mid-level employer that will stay in
12 Philadelphia or expand, it's important
13 for me that they're able to -- it's like
14 a factory job. They're usually set
15 salaries. If they're a union member.
16 But a lot of times when you're talking
17 about a secretary, a paralegal in an
18 office, those are usually negotiable, and
19 then you're looking for how they're going
20 to end up. So, you know --

21 MS. LANDAU: Many employers do
22 not promote the salary. They say the
23 salary is going to be based on
24 experience. Sometimes employers put out
25 a range, but a lot of employers will just

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 say salary based on experience. So in
3 your mind if you had \$45,000 set as the
4 salary and someone -- what we don't want
5 is for an employer when somebody comes in
6 who made \$30,000 in the previous job to
7 only pay that person 35,000 when they
8 were planning to pay more.

9 The goal -- I'll come back.
10 The goal is to not base the salary on
11 past wages. It's to base the salary on
12 the job requirements and the skills that
13 are necessary for that job.

14 COUNCILMAN OH: How are you
15 going to enforce this? So someone comes
16 in and I say 45,000 and they end up
17 having a little bit of a problem in their
18 history, they don't have some skills, and
19 I say based on the fact that I really
20 like you and I think you'll do very well
21 and you'll be promoted, but we're going
22 to bring you in at this rate, take it or
23 leave it. And then, you know -- how can
24 you say that I did or didn't base that on
25 a prior salary?

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 MS. LANDAU: The law, the bill,
3 would prohibit inquiries into wage
4 history and that if somebody filed -- so
5 the fact that you inquire about the wage
6 history would be a violation of the law.

7 COUNCILMAN OH: Okay.

8 MS. LANDAU: In our practice at
9 the Commission, we investigate all
10 claims. If somebody believes that the
11 job was supposed to be set at 45,000 and
12 is being paid 35,000, they would file a
13 complaint with our office. We do an
14 investigation. We have subpoena power.
15 We always ask for a production of
16 documents. We'd ask for every document
17 the employer had based on the hiring of
18 this person and do the analysis. If
19 somebody conducted a wage history search
20 and then we realized that that was the
21 trigger for setting the salary lower,
22 that would be a violation of the law.

23 COUNCILMAN OH: Okay. I'll
24 conclude this. I'll just say that I do
25 have concerns. As a lawyer who

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 represented plaintiffs in discrimination
3 suits and as a lawyer who represented
4 employers, my concern is that employers
5 may say that this leads to nuisance
6 lawsuits. It's not worth -- once you go
7 through the hiring process, you really
8 have to document what you're doing. You
9 may want to start recording what you're
10 doing. You may have to have certain
11 types of things, because a nuisance
12 valued lawsuit would, if you're hiring
13 lots of people, be problematic.

14 Again, is there a way to create
15 a fine and just say proof of
16 discrimination based on gender, religion,
17 based on the totality -- you offered 45,
18 you hired a man at 45, a woman walked in
19 equally qualified, you hired her at 35.
20 You know, whether it was based on wage
21 history or not, that's prohibited in
22 Philadelphia. There's a \$10,000 fine or
23 something if we can prove that it was
24 based on gender.

25 MS. LANDAU: Councilman Oh, it

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 is what -- this is not dissimilar to the
3 ban the box law that we've had on the
4 books in various forms since 2011. This
5 is the work that we do. We do it well.
6 Employers have changed their practices
7 based on this, and we have heard success
8 stories of people getting back to work
9 because of it.

10 We're in full support of the
11 bill, and this is -- it amends the Fair
12 Practices Ordinance, which has been in
13 existence since 1963.

14 COUNCILMAN OH: Thank you very
15 much. Thank you for taking the time.
16 Thank you, everybody.

17 COUNCILMAN GREENLEE: Thank
18 you, Councilman.

19 The record will reflect
20 Councilwoman Bass, a member of the
21 Committee, is present. Also Councilwoman
22 Sanchez is present.

23 I don't want to get into a big
24 back and forth, so I'll just recognize
25 Councilwoman Gym.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 COUNCILWOMAN GYM: Thank you
3 very much.

4 Just for clarity, your
5 statistics show that there's significant
6 pay inequity between men and women
7 currently.

8 MS. LANDAU: Yes. In
9 Pennsylvania, yes, and throughout the
10 country, yes.

11 COUNCILWOMAN GYM: Right.
12 Exactly. And that one of the factors is,
13 of course, like the fact that if there is
14 pay inequity and if wage history is an
15 aspect of people's employment and
16 salaries and wages, then requesting wage
17 history is a perpetuator of potential
18 inequity.

19 MS. LANDAU: Correct.

20 COUNCILWOMAN GYM: And I think
21 that that's what this bill tries to get
22 at, that it's trying to do -- it doesn't
23 necessarily say that it's going to solve
24 pay inequity, but it eliminates the
25 abuses that allow pay inequity, just like

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 ban the box, to continue; is that fair to
3 say?

4 MS. LANDAU: Absolutely.
5 That's correct.

6 COUNCILWOMAN GYM: One of my
7 questions is is like I know that the
8 Massachusetts state law is very new, but
9 do you have colleagues in the state or is
10 there some like professional network
11 across the different commissions and
12 other places that might pay close
13 attention to see how the law actually
14 does go into effect and how it might take
15 a look at both employer/employee feelings
16 about more equitable hiring practices,
17 for example?

18 MS. LANDAU: We have a
19 relationship with the Director of the
20 Massachusetts Commission on Human
21 Relations. We reach out to her. We have
22 not spoken to her yet.

23 COUNCILWOMAN GYM: Because I
24 think it is -- I'll be interested to hear
25 how Massachusetts law works out. I think

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 I'm curious about some of the factors in
3 Philadelphia's law that's a little bit
4 different. There's a couple of aspects,
5 including like whether the voluntary
6 offering of wage history on behalf of the
7 employee is something that we should be
8 regulating, for example. So it would be
9 interesting to just keep in touch with
10 you as you kind of take a look at how the
11 law unfolds.

12 So thank you very much for your
13 work.

14 Thank you very much, Ms. Hill,
15 too.

16 MS. LANDAU: Thank you.

17 MS. HILL: Thank you.

18 COUNCILMAN GREENLEE: Thank
19 you, Councilwoman.

20 Just for the record, I know Ms.
21 Marconi, our Legislative Director, has
22 been in touch with the people in
23 Massachusetts. It's one of the reasons
24 we based this law. And, again, this
25 isn't as strong as Massachusetts, but it

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 gets, I think, the core issue of what
3 we're trying to do here.

4 COUNCILWOMAN GYM: I meant
5 going forward.

6 COUNCILMAN GREENLEE: Right.
7 And I think in all, not just in
8 Massachusetts, but in other states or
9 cities -- it would be nice if the whole
10 country did it. I'm not hopeful for that
11 right away. I think you always learn
12 from each other, so I think we'll keep
13 doing that.

14 Before I recognize Councilman
15 Green, just real quick, just on a couple
16 things that Councilman Oh raised just so
17 I make it clear on the record. This does
18 not in any way stop discussions,
19 negotiations between employer and
20 prospective employee, correct?

21 MS. LANDAU: Correct.

22 COUNCILMAN GREENLEE: The only
23 thing that the employer cannot ask, what
24 have you made before, right?

25 MS. LANDAU: Right.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 COUNCILMAN GREENLEE: And isn't
3 it reasonable to think that even though
4 some employers may not, if -- I can't
5 blame them. It's an economic situation.
6 If an employer finds out that a person
7 who is qualified but has made less money
8 than they thought they were going to
9 offer at first, made less, that they
10 might just for economic reasons take
11 advantage of that and say, Okay, if you
12 only made 35,000, to use that example,
13 we'll give you 38? Isn't that reasonable
14 to think that that might happen?

15 MS. LANDAU: They could, yes.

16 COUNCILMAN GREENLEE: And,
17 again, as was stated, although we're
18 basing this on statistics of women and
19 minorities, this benefits any prospective
20 employee, correct?

21 MS. LANDAU: Yes.

22 COUNCILMAN GREENLEE: Whatever
23 their past history was.

24 And it was pointed out a
25 complaint would have to be put in if they

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 think this law was violated with the
3 Human Relations Commission, which is why
4 we changed the law and we put it under
5 the Fair Practices law.

6 MS. LANDAU: Right.

7 COUNCILMAN GREENLEE: And then
8 just like in a lot of other accusations,
9 you look into that. So you find out by
10 questioning both sides what you think
11 is -- if it's an accurate accusation or
12 it's not, correct?

13 MS. LANDAU: Sure. We're the
14 neutral agency and do a full
15 investigation.

16 COUNCILMAN GREENLEE: Okay.
17 All right. Thank you.

18 Councilman Green.

19 COUNCILMAN GREEN: Thank you,
20 Mr. Chair.

21 Ms. Landau, I just had some
22 questions, listening to the comments made
23 this morning. From your experience, if
24 someone has gone through an interview
25 process and they feel they've been

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 discriminated against, what's the process
3 of how you investigate that
4 discrimination allegation? So if someone
5 went to an employer and they were not
6 hired by that employer, they hired
7 someone else who possibly had different
8 qualifications than the person that
9 applied, how would they go about a
10 discrimination allegation, especially
11 based on gender?

12 MS. LANDAU: File a complaint
13 with our office. It gets assigned to an
14 investigator. The investigator -- we've
15 already drafted a legal complaint by the
16 time they got through intake and got to
17 the investigator. The complaint gets
18 served on the respondent, along with a
19 request for a production of documents.
20 The respondent responds with a legal
21 answer and serving the production of
22 documents. We do our review, give the
23 complainant an opportunity for rebuttal,
24 and oftentimes if we can make a
25 determination based on just the paper, we

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 can do that. If not, we do interviews
3 and come to a conclusion on the staff
4 side. We're the investigatory side. Our
5 Commissioners sit on the adjudicatory
6 side. If we determine that there's
7 probable cause, that it's more likely
8 than not, 51 percent or more, that
9 discrimination occurred, then it would go
10 to a hearing in front of our
11 Commissioners. In the meantime, we also
12 have two opportunities for mediation with
13 trained mediators who could, if the
14 parties want to, sit down and resolve the
15 issue.

16 COUNCILMAN GREEN: Based on
17 your experience, what type of information
18 generally is provided that demonstrates a
19 prima facie case that discrimination
20 occurs, especially in gender, regarding
21 hiring?

22 MS. LANDAU: Hiring is often
23 the paperwork of who they hired instead
24 and their past practices sometimes,
25 sometimes the workforce that they have.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 Many factors. Sometimes it's a
3 case-by-case basis, but it's often many
4 factors.

5 COUNCILMAN GREEN: But
6 generally from your experience, has that
7 been an easy case to prove or difficult
8 or is it, you said, case by case?

9 MS. LANDAU: It's case by case.
10 It's case by case. We see far fewer
11 hiring cases than we do actual employment
12 cases.

13 COUNCILMAN GREEN: And why
14 would you say you find far fewer hiring
15 cases?

16 MS. LANDAU: Far fewer hiring
17 cases are filed with us. I think --
18 unfortunately, I think the same reason
19 why we have far fewer housing
20 discrimination cases filed with us. The
21 people who are not -- do not receive the
22 job, don't receive housing, they kind of
23 move on quickly and move on to their next
24 thing of trying to get a job because of
25 poverty and economic crisis and need for

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 housing in the City. People move on
3 quickly to their next -- to try to fix
4 that need instead of filing a complaint
5 with our office. It's not that I don't
6 think it exists. It's just that we
7 have --

8 COUNCILMAN GREEN: Can you make
9 an assessment, based on your experience
10 as an attorney and also Executive
11 Director in this position, that often the
12 person that may be interested in filing a
13 complaint may not have the resources from
14 the information perspective to file a
15 complaint to prove discrimination?

16 MS. LANDAU: I want to get that
17 question again. Can you repeat the
18 question?

19 COUNCILMAN GREEN: Based on
20 your experience, do you think that the
21 potential complainant doesn't have the
22 information or resources to demonstrate
23 that they've been discriminated against
24 in hiring?

25 MS. LANDAU: Do you mean

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 resources as in knowing they can file a
3 complaint with us or resources --

4 COUNCILMAN GREEN: Resources
5 not so much knowing, but information to
6 demonstrate that they've been
7 discriminated against to even file a
8 complaint.

9 MS. LANDAU: It's hard to say.
10 I mean, we are -- I'm so sorry. I'm
11 hearing your question from two different
12 levels. One is, do they know that they
13 can file a complaint they may have been
14 discriminated against.

15 COUNCILMAN GREEN: Let me
16 strike that question. So not so much
17 that they know, but they have the
18 information they know they can file a
19 complaint, but do you think they have the
20 information to be able to successfully
21 file a complaint and feel that they will
22 be successful?

23 MS. LANDAU: Again, that's a
24 case-by-case basis. It's unclear. I
25 think we are the neutral entity where

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 people can file a complaint and have it
3 investigated, and some people file and
4 other people don't file and it's -- when
5 you don't get a job or you don't get
6 housing or you don't get these things, it
7 is -- people do not -- racism,
8 xenophobia, homophobia, transphobia,
9 discrimination against people with
10 disabilities is not as clear and blatant
11 as it used to be. You do not usually --
12 you don't receive a job or -- if you
13 don't receive a job based on any of our
14 protected categories, it is not usually a
15 situation where someone has a smoking gun
16 or somebody said, I'm not giving you the
17 job because of X or we don't hire Y.
18 It's not usually that clear. It's a much
19 more complicated world that we're in, and
20 we do our best to assess it, which is
21 often why we need the documents. We need
22 as much of the information as we can from
23 the employer to make this assessment.
24 And, again, case-by-case basis, but it
25 is -- people walk away from not receiving

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 jobs oftentimes thinking it's because of
3 X. Maybe it is; maybe it's not. That's
4 our job to find out, but it's not going
5 to be clear as day in written form you
6 didn't get this job because of...

7 COUNCILMAN GREEN: So it's a
8 much more gray perspective.

9 MS. LANDAU: Absolutely. It
10 makes our jobs harder, but it doesn't
11 make -- our convictions are even
12 stronger.

13 COUNCILMAN GREEN: So let me
14 ask a few additional questions. In your
15 role as Executive Director, you're also
16 an employer, correct?

17 MS. LANDAU: Yes.

18 COUNCILMAN GREEN: So generally
19 when you have an opening, you have a
20 range that you're looking at to hire
21 someone. So you may want to hire someone
22 between 32,000 to 38,000 or 22,000 to
23 35,000. You generally have a range that
24 you're thinking about in reference to
25 employing someone.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 MS. LANDAU: I am 99 percent
3 civil service, so those salaries are
4 already set. About two exempt positions.
5 I'm not sure you use the City of
6 Philadelphia as an example because of --

7 COUNCILMAN GREEN: Well, let's
8 use your exempted positions. You know
9 you have a certain budget, and within
10 that budget, if someone leaves -- you're
11 currently paying them X amount, and so if
12 that person leaves and you want to bring
13 someone in, you look for someone's
14 certain level of experience and know you
15 have within your budgetary confines a
16 certain amount that you can pay.

17 MS. LANDAU: Yes.

18 COUNCILMAN GREEN: And so in
19 your process of hiring, you send out
20 information regarding the employment and
21 then you interview candidates.

22 MS. LANDAU: Yes.

23 COUNCILMAN GREEN: And so as
24 you're doing your interview of
25 candidates, you're looking at

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 qualifications, their background,
3 experience, trying to see if they have a
4 rapport with you, rapport with your
5 staff, you think they would be a fit,
6 correct?

7 MS. LANDAU: Yes.

8 COUNCILMAN GREEN: Now, in your
9 interview process, do you generally think
10 of salary at the initial aspect or toward
11 the end of the process?

12 MS. LANDAU: Again, we are so
13 constrained --

14 COUNCILMAN GREEN: Just talking
15 exempt.

16 MS. LANDAU: It's a factor.
17 It's not a factor of the qualifications
18 of the people or the skills and
19 requirements of the job.

20 COUNCILMAN GREEN: Right. So
21 it seems like -- and I think your
22 statement is similar to many employers,
23 just like myself when I've been an
24 employer in the past, prospectives or
25 employed people, either as a banker or a

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 small business owner or entrepreneur, you
3 generally have an idea of how much you
4 want to pay someone, but you first want
5 to make sure they have the skill set and
6 qualifications, and once that match or
7 fit comes together, then you start
8 thinking about salary.

9 MS. LANDAU: We might not agree
10 on this one. I see -- I look at the
11 applicant and the skills and
12 qualifications of the applicant and does
13 that fit the job.

14 COUNCILMAN GREEN: Right.

15 MS. LANDAU: I've got a price
16 tag on the job already, and so this
17 isn't -- to me the salary is -- our goal
18 is to pay the most amount you possibly
19 can so you get the best talent, but we
20 put a salary range out there to begin
21 with, and not all employers do. You pay
22 the most you possibly can, not the least,
23 the most you possibly can to get someone
24 who is being well paid, great City
25 benefits, and motivated to do the job.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 COUNCILMAN GREEN: Right. But
3 the range aspect is to me at the somewhat
4 tail end of the perspective. You don't
5 generally in the interview process -- you
6 can even reflect from your time when
7 you've been an employee. Generally you
8 don't lead in with the salary range. You
9 lead in on the skill set and
10 qualifications and then you get into the
11 negotiation. But you have a range of
12 idea of how much you're willing to pay.

13 MS. LANDAU: Yes.

14 COUNCILMAN GREEN: And I
15 think -- correct me if I'm wrong -- the
16 purpose of the legislation, from my
17 observation and the reading, is that
18 often you as the employer are in a
19 more -- in a stronger negotiating
20 position. So if you already knew how
21 much you're going to pay and if someone
22 comes in and you ask them what they were
23 paid in the past, that gives you some
24 perspective that, you know what, this
25 person already fits my -- they already

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 fit my qualifications what I want,
3 because you don't get into the salary
4 negotiation towards the end of the
5 process. So if you already know they
6 fit, but then you have this range and
7 then you ask them, Well, how much have
8 you been paid in the past, then that
9 gives you some perspective of how much
10 you can pay them within that range. And
11 if you're on the -- if that person says
12 at the lower end of your range, then you
13 can say, Well, I can get them to come
14 into my organization at that lower range
15 but maybe a little bump up.

16 MS. LANDAU: Yes, except the
17 caveat I don't know why you need to ask
18 what you've made in the past.

19 COUNCILMAN GREEN: That's my
20 point exactly. That's my point exactly.
21 So my point exactly is that you as an
22 employer, you already know the range.

23 MS. LANDAU: Yes.

24 COUNCILMAN GREEN: And you're
25 also in a more powerful negotiating

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 perspective. So if someone comes in to
3 the interview and you ask them what have
4 you been paid in the past and if they say
5 something to the lower end, you now know
6 that you probably can hire them at the
7 lower end of your range if their
8 statement of the past salary position has
9 been in that lower caveat.

10 MS. LANDAU: Understood, yes.

11 COUNCILMAN GREEN: Now, you
12 being in the public sector, you're in a
13 different dynamic. If you're in the
14 private sector and when I've been in the
15 private sector, you're trying to, yes,
16 get the best quality person, but you're
17 often not leading in the beginning of the
18 conversation at salary. You kind of
19 figure out does this person have the
20 skill set that I'm looking for, and then
21 if they have the skill set and they work
22 with my team and you believe they have
23 the ability to get things done, then you
24 look at salary. But from a for-profit
25 perspective, because you're also looking

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 at salary and budgets and negotiations,
3 if I know that this person -- I can hire
4 this person at a lower amount, you're
5 probably going to see what's the best
6 candidate I can get for the least amount,
7 because you're also looking at expenses
8 and revenue, because your highest expense
9 as an employer is your salary and fringe.
10 So if I can get someone to come into my
11 organization that meets all the
12 categories that I need, I want to look at
13 bringing them in at a lower level.

14 MS. LANDAU: So long as you
15 arrange and so long as you're doing -- so
16 long as you're hiring without
17 discriminating and you have a range, you
18 can absolutely bring somebody in at the
19 lower end of your range, as long as
20 you're not asking about wage history.
21 But I agree, I think. All forces point
22 towards a good, fair hiring process.
23 You've got plenty of wiggle room, and you
24 said it perfectly, that employers usually
25 always walk in on the upper end with the

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 stronger position.

3 The employers have the job.

4 You want the job. The employers have a
5 lot of power there, and as long as you're
6 being fair and open and not
7 discriminating, you can have a perfectly
8 fine hiring process.

9 COUNCILMAN GREEN: And just to
10 conclude, because it's more challenging
11 to prove discrimination in our current
12 age and time, and considering the past
13 history of the challenges that women,
14 people of color, people of LGBTQ
15 perspective, and people of disabilities
16 have had, often they're coming in to
17 positions at a lower salary point. And
18 so with that perspective, if I'm an
19 employer, especially in the for-profit
20 perspective, yes, I want to bring them
21 in, but if I know I can bring them in at
22 a lower point, having that information,
23 which I'm already in a more powerful
24 position, enables me to do that, because
25 that person is also more interested in

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 having the position.

3 MS. LANDAU: Absolutely.

4 COUNCILMAN GREEN: And from

5 their perspective, there is an increase

6 in pay. Granted, it's an increase in pay

7 at 2, 5, 6, 7, maybe 10 thousand dollars,

8 but if they had the information of what

9 the salary range was and what that

10 employer was willing to pay, they will

11 maybe be able to get a higher salary than

12 what they got hired for.

13 MS. LANDAU: That's absolutely

14 correct.

15 COUNCILMAN GREEN: Thank you.

16 MS. LANDAU: Thank you.

17 COUNCILMAN GREENLEE: Thank

18 you, Councilman.

19 Councilman Oh.

20 COUNCILMAN OH: Okay. I do

21 appreciate Councilman Green's perspective

22 as an employer. My perspective -- and

23 I'm not saying that doesn't happen. My

24 perspective is that as an employer, I

25 have a range of 40,000 to 45,000. A

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 candidate comes in and she says, I can't
3 take this job for anything less than
4 \$98,000.

5 \$98,000? Okay. Why is that?
6 What's going on? I can't afford that.

7 We do get into a discussion at
8 that point in time of, Well,
9 realistically would you tell me what are
10 you making right now? What are your
11 expenses? And most of the time they'll
12 just tell you, Listen, I'm making X
13 amount of money. I need this much. And
14 then we'll get into a discussion.

15 I understand this bill says
16 don't do that. And so what choice do I
17 have but to say 98,000? Jeez, I'm sorry,
18 I cannot do it. You know, I don't even
19 know how to figure this out. I mean, I
20 would work on maybe not hiring somebody
21 next year. Maybe I'll, you know -- maybe
22 I'll forego a vacation my wife and I
23 planned. I got to come up with this
24 amount of money. But tell me why you're
25 worth it and why are you double what --

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 and the person may tell me, Here's what I
3 do, I bring my own book of business, I do
4 all kind of things.

5 Wow, you're really worth it.
6 You know, let me figure out what can I do
7 to satisfy you.

8 And a person will say -- I
9 won't negotiate against myself. I won't
10 tell you the minimum I will take. I have
11 to offer, how about this plus this, you
12 work at home, you come in at this time,
13 we'll do flex time. You know, it's just
14 kind of a process that I'm kind of
15 familiar with.

16 What I do believe is the
17 important issue -- and I'd like to
18 commend Councilman Green and yourself on
19 the laws that we have passed, the
20 ordinances in Philadelphia, that have
21 been very protective, particularly of
22 women. I myself am very proud of the
23 fact that we did the cannot fire or
24 harass women who were pumping breast
25 milk, which is unfortunately not a

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 national standard, but to me, the problem
3 is that when employers, typically men,
4 could be women, pay women less, it's
5 because they have made assumptions that
6 are very negative and discriminatory
7 about the value of the woman. Oh, she is
8 going to get married and move to New
9 York. She is more than likely to get
10 pregnant, and then I'll be in a bad spot.
11 You know, these type of assumptions I
12 believe, which are things that we really
13 should -- they're not necessarily true.
14 I think they're very discriminatory.
15 Those are the things that I would really
16 like to address.

17 I sometimes point out that I
18 believe in Korea -- I don't have exact --
19 there's a four-month of paid FMLA, and in
20 Japan I think it's about a year, and the
21 idea in some of those companies, not all
22 of them, that a woman might have a baby
23 is not a negative factor. It's just two
24 different genders. And no different than
25 a man who takes six months leave of

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 absence from his company and has a spot
3 waiting for him and a promotion. I think
4 that's what we're trying to get to, that
5 level of value of the person, different
6 gender adding value to the company, but
7 certainly a minimum level of
8 non-discrimination simply based on
9 stereotypes about or assumptions made
10 about the gender.

11 I would love to see laws that
12 more directly address those in the ways
13 that you're trying to do through this not
14 asking about wage history. For me, I
15 don't know that this does that. I hate
16 to disagree with folks, but I remain
17 open-minded throughout this process, and
18 I appreciate your taking the time to
19 share your perspectives. You're so very
20 good at that.

21 Thank you.

22 MS. LANDAU: Thank you.

23 COUNCILMAN GREENLEE: Thank
24 you, Councilman.

25 MS. HILL: Councilman Oh --

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 I'm sorry.

3 COUNCILMAN GREENLEE: Let me
4 just add something. I'm sorry. And,
5 again, not to elongate this process,
6 because we have other witnesses. We have
7 five other bills we're trying to deal
8 with. So I want to move along, but I
9 think what Councilman Oh used the term
10 "value of person." That's the whole
11 purpose behind this bill, that the wages
12 should be based on the value of the
13 person and not on previous wages, which
14 history has shown at least certain types
15 of individuals are not treated equally.

16 And then, finally, on the
17 scenario that the Councilman brought out
18 about if somebody comes in, if it's
19 \$45,000 and they ask for 98, nothing
20 stops any of that discussion of why you
21 think you're worth 98,000, except you
22 can't ask the question of what you made
23 before. But if the person is coming in
24 and asking for 98,000, my guess is they
25 made a lot more than 45,000, which is why

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 they're asking for 98,000. So they can
3 voluntarily submit that information. So
4 I just put that out there.

5 I'm sorry. Please.

6 MS. HILL: No. That's quite
7 all right. I just wanted to reemphasize
8 how important this bill is in terms of
9 salary growth. By not asking for the
10 salary history, that allows a woman's
11 salary or any discriminated class, their
12 salary to grow. There is salary bias,
13 and that bias is based on this history.
14 So when you're asking the history
15 question, that history question almost
16 certainly keeps the wage at the previous
17 history. This is about salary growth.
18 This is about being able to go to that
19 next job and get a salary increase, so it
20 doesn't take my granddaughter until she's
21 56 years old to make the same as a man
22 does.

23 COUNCILMAN GREENLEE: Thank
24 you.

25 Any other questions or

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 comments?

3 (No response.)

4 COUNCILMAN GREENLEE: Seeing
5 none, thank you both very much.

6 MS. HILL: Thank you.

7 COUNCILMAN GREENLEE: Thank you
8 for all your time.

9 Ms. Marconi, you want to call
10 the next panel, please.

11 THE CLERK: Terry Fromson,
12 Barbara Price, and Marianne Bellesorte.

13 (Witnesses approached witness
14 table.)

15 COUNCILMAN GREENLEE: These are
16 the only other names I have on the list.
17 Anybody else that wants to testify on
18 this bill?

19 (No response.)

20 COUNCILMAN GREENLEE: And if I
21 could just ask all three of you, we are
22 running a little late. We have five
23 other bills. We have written testimony.
24 If you would just -- we will not be
25 opposed to you shortening your testimony

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 and summarizing and also addressing maybe
3 some of the things that you've heard
4 addressed here.

5 Ms. Fromson, I think your name
6 was called first. Why don't you go
7 first.

8 MS. FROMSON: Yes. Good
9 morning. My name is Terry Fromson. I'm
10 Managing Attorney of the Women's Law
11 Project, which has as a priority seeking
12 equal pay for women policy change. I
13 appreciate the opportunity to testify in
14 support of legislation that I believe
15 will significantly contribute to
16 eliminating the gender wage gap. Setting
17 employee pay based on prior wages
18 perpetuates wage inequalities throughout
19 a woman's lifetime. Massachusetts has
20 adopted a similar ban. New York City has
21 adopted an executive order for public
22 employees. Pending in addition to
23 Philadelphia are bills in New Jersey, New
24 York City for the New York City
25 employers, and the District of Columbia.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 As you have heard, a sizable
3 wage gap exists between men and women in
4 Pennsylvania, one that is substantially
5 larger for women of color. The women
6 living in Philadelphia, the largest city
7 population-wise in the state with one of
8 the most diverse populations, deserve the
9 protection this bill will provide them.

10 Truly achieving equal pay
11 requires addressing a broad set of
12 interconnected issues. Among them, as
13 Councilman Oh has mentioned, are
14 pregnancy and caregiving penalties to
15 which women are subjected, to which this
16 Council has already contributed
17 significantly by adopting important
18 legislation requiring workplace
19 accommodations for pregnant and nursing
20 women, as well as paid sick days.

21 This bill tackles another
22 contributor to unequal pay, reliance on
23 wage history to set pay. This practice
24 has persisted despite the existence of
25 equal pay laws banning sex discrimination

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 and wages for five decades. It does so
3 because the law allows employers, the
4 Equal Pay Act specifically, allows
5 employers to justify paying women less
6 than men based on what is described as a
7 factor other than sex, and many courts
8 have interpreted prior wages as a factor
9 other than sex, when in fact it is
10 typically not. It is not gender neutral.
11 A woman's prior pay may very well be
12 based on a sex discriminatory assessment
13 of her worth. It reflects historical
14 market forces based on sex stereotypes
15 and assumptions about the value of the
16 equal work of one sex over the other.

17 While the EEOC and some courts
18 have recognized that bias that results
19 from relying on prior wages, employers
20 continue to rely on those prior wages and
21 perpetuate discrimination. Wage policies
22 challenged in recent years show how this
23 happens. An employer sets the entry
24 salary starting with the employee's pay
25 at his or her most recent job. The wage

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 gap data tells us that the woman's salary
3 is most likely less than the man who is
4 equally situated to her. The pay at
5 higher might be based on that prior wage,
6 plus an increment that would be applied
7 equally to the men and the women. And
8 then the employer keeps the woman at the
9 lower pay, because every time a salary
10 increase happens, an equal percentage of
11 prior pay is applied. And so women
12 continue to remain paid less than men.

13 By specifically outlawing the
14 practice of relying on prior wages to set
15 a new employee's pay, this ordinance will
16 provide clarity that will relieve women
17 of having to gamble on whether a court
18 will properly interpret this practice as
19 unlawful under the law. It will help
20 ensure wage decisions are based on
21 position requirements and applicant
22 qualifications rather than a factor that
23 likely reflects longstanding gender-based
24 wage disparities in the labor market. In
25 doing so, it will also help employers

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 avoid litigation.

3 The Women's Law Project
4 believes this bill can be strengthened by
5 adding two clarifications that are in the
6 Massachusetts law, the New York City
7 executive order, and the District of
8 Columbia bill. The first is to
9 specifically prohibit employers from
10 seeking wage history from current or
11 prior employers. While this bill
12 prohibits an employer from asking a job
13 applicant for wage history, it does not
14 bar inquiries directly to current and
15 former employers.

16 The second is to limit any
17 permitted reliance on wage history to
18 only after an offer of employment and
19 compensation has been made. This bill
20 allows employees to voluntarily share
21 wage information before an offer is made
22 and places applicants in an untenable
23 position of having to choose between
24 protecting what is biased information
25 that may adversely affect their future

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 wages or the risk of being denied a job.

3 It's an inherently coercive situation for
4 someone to be in.

5 So I ask that you support this
6 bill with these amendments and adopt a
7 bill that will significantly reduce the
8 wage gap that affects Philadelphia women.

9 Thank you very much.

10 COUNCILMAN GREENLEE: Thank
11 you.

12 We'll hear from all three
13 before any questions.

14 Ms. Price, why don't you go
15 next.

16 MS. PRICE: Thank you.

17 COUNCILMAN GREENLEE: Speak
18 right in the microphone. This is a
19 hearing room, but you can't hear too well
20 in here.

21 MS. PRICE: Thank you. I'm
22 Barbara Price and I'm representing the
23 American Association of University Women
24 of Pennsylvania. AAUW has been
25 empowering women since 1981 and has been

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 advocating for pay equity since 1913. We
3 were there when President Kennedy signed
4 the Equal Pay Act of 1963, and provided
5 leadership on the Lilly Ledbetter Fair
6 Pay Act that President Obama signed in
7 2009, and we continue to work for passage
8 of the Paycheck Fairness Act at the
9 federal level.

10 And while we've made a lot of
11 progress since 1953 when women made 59
12 cents of what men made, but the gap still
13 exists today at 80 cents nationally and
14 79 cents for Pennsylvania, which ranks us
15 27th as a state in the country.

16 The good news is that among
17 Philadelphia's three congressional
18 districts, we are doing better than the
19 national average and better than all
20 other Pennsylvania congressional
21 districts. However, a gap of 10 to 15
22 percent still exists.

23 And you've heard a lot of the
24 statistics about how this affects racial
25 and ethnic minorities, and that is a

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 major concern, because they are -- while
3 there aren't a lot of disparities between
4 men and women within a racial or ethnic
5 group, when compared to white men, which
6 is the largest group of employees in the
7 country, women and minorities do much
8 worse.

9 And the gap remains consistent
10 across age groups, levels of education,
11 and for full-time workers across a number
12 of occupations, such as 65 percent for
13 financial managers and 81 percent for
14 software developers, and this holds true
15 even in lower-wage jobs. The single most
16 common occupation for Latinas is that of
17 maids, housekeepers, janitors or building
18 cleaners where they make up 22 percent of
19 the people employed in those jobs.
20 Latinas who work full time in these
21 occupations year round are paid just 58
22 cents for every dollar paid to white
23 non-Hispanic men in the same occupations.

24 But the wage gap isn't just a
25 matter of fairness. It's a matter of

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 economics for women and families. About
3 71 percent of all mothers in the United
4 States work for pay, and families
5 increasingly depend on women's wages just
6 to make ends meet. One-third are single
7 mothers and often the sole support of
8 their families. The pay gap costs a
9 typical woman in Pennsylvania about
10 \$918,120 over the course of her career.
11 And you've heard how it affects women as
12 they age with lower Social Security.

13 Providing equal pay for women
14 would have a dramatic impact on poverty,
15 a big concern with Philadelphia's 25.8
16 percent poverty rate. The Women's
17 Institute for Policy Research offers the
18 following:

19 The poverty rate for all
20 working women would be cut in half,
21 falling to 3.9 percent from 8.1 percent.
22 Very high poverty rate for working single
23 mothers would fall by nearly half, from
24 28.7 to 15 percent, and two-thirds would
25 receive pay increases. A total increase

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 in women's earnings with pay equity
3 represents more than 14 times what the
4 federal and state government spent in
5 Fiscal Year 2012 on TANF.

6 And the Women's Policy Research
7 Institute also found that pay secrecy is
8 much more common in the private sector,
9 where 61 percent of employees are either
10 discouraged or prohibited from discussing
11 wage and salary information. Yet in
12 contrast, employers can ask about salary
13 history. However, when employers are
14 given the opportunity, they will step up
15 and do the right thing. The Obama
16 Administration's recent announcement of
17 the White House's Equal Pay Pledge for
18 private-sector companies to commit to
19 equal pay for their employees has
20 garnered commitments from 50 companies as
21 of August 2016.

22 So given this information, the
23 research and the possibility of reducing
24 poverty, it is essential we do all we can
25 to eliminate the pay gap. The proposed

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 bill would go a long way to ensure
3 workplace fairness and equal pay
4 protection for women.

5 Thank you.

6 COUNCILMAN GREENLEE: Thank you
7 very much.

8 Ms. Bellesorte.

9 MS. BELLESORTE: Thank you. My
10 name is Marianne Bellesorte. I am the
11 Vice President of Advocacy at PathWays
12 PA. PathWays PA works to end the cycle
13 of poverty, homelessness, and abuse in
14 the Philadelphia region.

15 As you know and as you've
16 already heard, pay discrimination is an
17 ongoing issue for Pennsylvania's women.
18 At the current rate of wage growth, it
19 will take another 40 years at least
20 before women and men earn the same
21 amount. One step in addressing wage
22 inequality is ensuring that a history of
23 low salaries does not follow women into a
24 new workplace. And I know Barbara
25 touched on this already, but I just want

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 to point out again that the wage gap is
3 not just about women. It is also about
4 people of color, men and women. So we
5 see that just about everywhere.

6 The wage gap especially hurts
7 families who are struggling to get by on
8 low earnings, and in Philadelphia, about
9 43 percent of all families are already
10 earning below the self-sufficiency
11 standard and, therefore, struggling to
12 make ends meet.

13 Inequitable wages start right
14 out of college, and they're compounded
15 when women and men of color apply for new
16 jobs and are asked to share their pay
17 history. Instead of starting their job
18 on an equal footing, they enter with a
19 lower salary because it was based on
20 previous employment. Then after another
21 year of work, their wages are unlikely to
22 grow at the same rate as men's wages.

23 Not surprisingly, as women get
24 older, the wage gap continues to grow and
25 continues to affect women in retirement.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 By preventing potential
3 employers for asking for salary history,
4 Philadelphia's workers gain the ability
5 to earn what their work is actually
6 worth. A woman who starts her career at
7 the low end of a salary range will not be
8 held to that standard for the rest of her
9 work life. Instead, she will have the
10 opportunity to earn what she is worth at
11 a new company.

12 And I want to share just
13 briefly a situation that I have seen just
14 in the past few weeks. A colleague of
15 mine who has a similar history to me is
16 job searching. She will often send me
17 the jobs that she is looking at, and
18 there was one that I found particularly
19 interesting. I should say if any of my
20 employers are listening right now, I'm
21 not looking. I just happened to see one
22 I liked.

23 So I looked at it and it said
24 the salary was based on experience and
25 based on your salary history. And I even

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 got in touch with the company to see,
3 because my colleague and I earn very
4 different salaries right now. And they
5 said again, you know, we will work with
6 you to try to reach your current salary,
7 which is great for the one of us that has
8 a higher salary, but we are earning very
9 different amounts at the moment. And so
10 at best, one of us is wasting the time of
11 the hiring officer if we both go in to
12 apply for this job, because one of the
13 other of us is not in the range that
14 they're looking at.

15 But at worst, someone is
16 actually losing out on money that they
17 could earn. This would be a lateral move
18 for one of us, but actually a step up the
19 ladder for the other one. And just as
20 the past panel was talking about the need
21 for salary growth, you know, one of us
22 could be locked into a lower salary in
23 this next job, which means probably in
24 the job after that and so on and so on,
25 when we could in fact be earning

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 thousands of dollars more in this new
3 position and that would really help us
4 over our career.

5 So the fact especially that I
6 knew this bill was coming up made me
7 really think about that more and see why
8 it is so important to not be looking at
9 salary history when you're going in for a
10 job, but to really be able to take the
11 actual person and their work experience
12 into account.

13 So I will leave it at that. I
14 do want to say in Massachusetts this
15 legislation passed unanimously in both
16 houses, and I think it's a great example
17 of how we can work across the aisle.

18 Thank you.

19 COUNCILMAN GREENLEE: Thank
20 you.

21 Thank you all very much.

22 Are there any questions or
23 comments?

24 (No response.)

25 COUNCILMAN GREENLEE: Let me

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 just add it was mentioned before about
3 the Massachusetts law. This law,
4 proposed ordinance, does not have as much
5 regulations in. As we know -- Marianne,
6 you can relate to this, as we went
7 through a hundred years of dealing with
8 sick leave -- that you don't always get
9 exactly what you want, but we tried to
10 work something out where we hit the core
11 issue and still got something, working
12 with the Administration and working with
13 others and understanding the concerns of
14 the business community, that at least
15 this is a start in trying to address the
16 issue of pay equity.

17 So with that, any other
18 questions or comments?

19 (No response.)

20 COUNCILMAN GREENLEE: Seeing
21 none, again, no one else here to testify
22 on this bill. Just for the record,
23 there's written testimony in support of
24 the bill that will be put in by two
25 people who experienced issues with this,

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 Jeni Wright, Melissa Beatriz Skolnick,
3 and also there is a testimony that would
4 be put in the record from Rob Wonderling,
5 the CEO of Chamber of Commerce raising
6 numerous concerns about the bill, some of
7 which have been addressed in amendments,
8 which he would have found out about if he
9 took the time to call me.

10 I'm sorry. I couldn't resist
11 that one.

12 And also just for the record,
13 as far as Chamber of Commerce goes, the
14 Boston Chamber of Commerce supported the
15 Massachusetts law. So they obviously did
16 not believe it was that injurious to
17 businesses.

18 With that, let's move on to our
19 next bills and resolution. Ms. Marconi,
20 you want to read. I think there's three
21 of them here.

22 THE CLERK: Bill No. 160971, an
23 ordinance providing for the submission to
24 the qualified electors of the City of
25 Philadelphia of an amendment to The

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 Philadelphia Home Rule Charter providing
3 for the award of certain contracts based
4 on best value to the City, under certain
5 terms and conditions; fixing the date of
6 a special election for such purpose;
7 prescribing the form of ballot questions
8 to be voted on; and authorizing the
9 appropriate officers to publish notice
10 and to make arrangements for the special
11 election.

12 Bill No. 160972, an ordinance
13 amending Section 17-1404 of The
14 Philadelphia Code, entitled "Eligibility
15 for Non-Competitively Bid Contracts and
16 Financial Assistance," to provide for
17 requirements relating to contracts
18 awarded pursuant to the proposed best
19 value provisions of the Home Rule
20 Charter, under certain terms and
21 conditions.

22 And Resolution 160981,
23 resolution proposing an amendment to The
24 Philadelphia Home Rule Charter to provide
25 for the award of certain contracts based

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 on best value to the City, under certain
3 terms and conditions; and providing for
4 the submission of the amendment to the
5 electors of Philadelphia.

6 COUNCILMAN GREENLEE: Thank
7 you. Our witness?

8 THE CLERK: Rebecca Rhynhart.
9 (Witness approached witness
10 table.)

11 COUNCILMAN GREENLEE: Thank
12 you.

13 It's still morning. Just made
14 it. Please identify yourself and
15 proceed.

16 MS. RHYNHART: Sure. Good
17 morning. Rebecca Rhynhart, Chief
18 Administrative Officer for the City of
19 Philadelphia.

20 Which bill do you want me to
21 start with?

22 COUNCILMAN GREENLEE: Well, the
23 first one was called was 971.

24 MS. RHYNHART: 971?

25 COUNCILMAN GREENLEE: So why

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 don't we start with that.

3 MS. RHYNHART: Well, good
4 morning, Chairman Greenlee and members of
5 the Committee. I am here today to
6 testify on Resolution No. 160981, which
7 proposes an amendment to the Philadelphia
8 Home Rule Charter that would permit the
9 City to award procurement contracts
10 pursuant to best value. My testimony
11 will also cover Bills 160971, placing the
12 proposed amendment on the ballot, and
13 160972, making conforming changes to the
14 Code, which are sponsored by Councilman
15 Henon, Councilman Green, Councilman
16 Squilla, Councilwoman Parker, Councilman
17 Jones, and Councilman Johnson.

18 The Office of the Chief
19 Administrative Officer was created in
20 January in order to focus on
21 strengthening the City's administrative
22 functions as well as improving efficiency
23 and effectiveness across City government.
24 Helping to modernize procurement is one
25 of the CAO's Office main near-term goal.

11/22/16 - LAW & GOV. - BILL 160678, ETC.

Currently under Section 8-200 of the Charter, the City can only award procurement contracts to the lowest responsible bidder. This means that as long as the vendor is deemed responsible, then the proposer with the lowest cost is awarded the contract. Today the City is only able to measure whether the vendor meets the criteria set in the bid, but cannot evaluate responses based on any other factors.

The Charter amendment proposed by this package will allow the City to take other criteria into account when selecting a vendor, resulting in a contract that brings the best value to the City. This allows the values of the City to better align with its goals on contracts that previously relied on the lowest price only. Best value contracts will automatically be subject to Chapter 17-1400, which currently regulates professional services and other contracts not subject to the lowest responsible

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 bidder requirement, as well as other
3 pertinent City contracting standards; in
4 particular, Economic Opportunity Plans
5 under 17-1600.

6 Best value procurement is a
7 best practice that is used throughout the
8 country. In our review of the ten
9 largest cities, Philadelphia is the only
10 city that does not have best value as a
11 procurement option. In fact, the voters
12 of San Diego just overwhelmingly voted
13 yes on a procurement reform measure that
14 included best value procurement.

15 Best value allows departments
16 in the City who manage complex contracts
17 to select a vendor on criteria other than
18 price alone, leading to more effective
19 delivery of the project.

20 It is important to remember
21 that the lowest bid price, our current
22 practice, does not necessarily lead to
23 the lowest final cost to the City or the
24 best use of public dollars.

25 Best value allows the City to

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 get the most of every dollar we spend.

3 This means the City can evaluate

4 responses from vendors on criteria other

5 than price, such as vendor performance to

6 include on-time, on-budget performance

7 and the delivery on M/W/DSBE

8 participation goals and Economic

9 Opportunity Plans; project schedule and

10 approach; and best practices in public

11 works, including methodologies such as

12 design-build.

13 The Procurement Department

14 continues to lead this process and will

15 develop regulations governing the best

16 value procurement process, including

17 selection committee composition, process

18 transparency, and consistency across

19 contract opportunities.

20 Best value procurement offers

21 greater opportunity for meaningful gains

22 in helping the City hold those that do

23 business with us accountable for building

24 and enhancing participation. When best

25 value procurement is applied, the City

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 will be able to assess proposers' past
3 Economic Opportunity Plan performance and
4 commitment to diversity.

5 With the ability to evaluate
6 vendor proposals up front and to take
7 other criteria into account, we
8 anticipate more projects being completed
9 on time and on budget. We expect this to
10 decrease the number of change orders on
11 public works projects, saving time and
12 money. Also, with the ability to
13 negotiate, we expect an increase in
14 responses, which we anticipate to lead to
15 lower costs to the City.

16 The Administration is committed
17 to modernizing procurement to increase
18 transparency, efficiency, and to increase
19 opportunity for local and minority
20 businesses.

21 I would like to request a
22 suspension of the rules for both bills to
23 allow for first reading at Council's next
24 session.

25 This concludes my testimony.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 And I should have said at the beginning
3 that I am here with the Procurement
4 Commissioner, Trevor Day, and the head of
5 our Professional Services Unit within the
6 CAO's Office, T. David Williams. So all
7 of us are happy to answer any questions
8 you may have at this time.

9 COUNCILMAN GREENLEE: Okay. I
10 see almost everybody's light is lit. Let
11 me just -- first, let me recognize for
12 the record Councilman Henon, Majority
13 Leader, is present on the Committee.

14 Just one question just for the
15 record. There is an amendment to the
16 resolution that you're aware of, correct?

17 MS. RHYNHART: Yes.

18 COUNCILMAN GREENLEE: Which I
19 understand just kind of makes it clearer
20 the goal behind or one of the goals
21 behind this whole idea, correct?

22 MS. RHYNHART: Yes. We're
23 supportive of the amendment.

24 COUNCILMAN GREENLEE: Okay.

25 Good.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 I think Councilman Green was
3 first. Councilman Green, then Councilman
4 Henon.

5 COUNCILMAN GREEN: Thank you,
6 Chairman Greenlee.

7 I wanted to ask additional
8 questions regarding best value, something
9 I think that's definitely needed in the
10 City of Philadelphia, considering that we
11 have not followed best practices that you
12 see in other major cities around this
13 country. One of the things I've been a
14 long critic of in reference to the City,
15 that when we use the concept of lowest
16 responsible bidder, people have the
17 perspective that when you use that
18 methodology of procurement, that means
19 you're always going to get the lowest
20 price. And from my experience, what can
21 often happen is that an entity will bid
22 at a low point to get the contract, but
23 then through various change orders and
24 other changes through the process end up
25 with a different price point at a later

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 point in the end of the contracting, and
3 the City doesn't always get the best
4 financial benefit from that negotiating
5 process or that process in procurement.
6 And so as a result, because of that, a
7 number of smaller firms I think get the
8 perspective that why bid on a contract
9 when it always goes to the same entities
10 over and over and over again.

11 So my question is, in using
12 best value, you will have the ability to
13 look at past performance on previous
14 contracts where an entity actually bid on
15 a contract, used an M/WBE as a
16 subcontractor, but then never used that
17 entity in the contracting process but
18 done that consistently over and over
19 again. You'll be able to use that
20 practice in your evaluation using best
21 value?

22 MS. RHYNHART: Absolutely. And
23 you very succinctly described the problem
24 that often occurs with the lowest bid
25 opportunity and the way that vendors

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 respond in terms of lowballing the cost
3 to win the bid and then change ordering
4 it up. And that's one of the reasons
5 that cities around the country have moved
6 to allow best value as an option, so that
7 we can look at other factors such as the
8 cost at the end of the project versus
9 what they originally bid on past jobs.
10 And also what you said about if a firm
11 continually put a minority business on
12 the contract but never uses them, that is
13 absolutely something that we can take
14 into effect and we could weight as one of
15 the criteria in the selection.

16 So I think that it gives us a
17 powerful tool to say -- one, to say to
18 businesses, Hey, this is very important
19 to us and this is actually going to
20 impact our business decisions, and then
21 also be able to follow through on that
22 now if best value is implemented.

23 COUNCILMAN GREEN: From my
24 experience as a former prosecutor, an
25 entity that consistently engages in that

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 practice is engaging in fraud and is
3 actually frauding the City, not only by
4 not providing the product they're
5 supposed to provide at the price point
6 they promised to, but also frauding by
7 not involving businesses of color in the
8 contracting process. So hopefully you'll
9 be using that information not only in
10 evaluating whether that entity will be
11 able to get a contract in the future, but
12 if they engage in that consistent
13 practice, sending that information to the
14 Inspector General's office for possible
15 enforcement.

16 Follow-up question. I know
17 you're in the process -- assuming the
18 legislation gets passed, we'll be
19 developing regulations. In thinking
20 about the regulations, what have you
21 learned from other cities in reference to
22 how they've been able to use best value
23 as a way to increase participation for
24 local businesses and businesses of color?

25 MS. RHYNHART: Well, one of the

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 things that we've learned is that in the
3 criteria that is used for selection,
4 there is likely to be different types of
5 weightings for different types of
6 opportunities, but one thing across the
7 board is that you can put in -- what
8 we've seen is weighting for past
9 performance on Economic Opportunity
10 Plans, that it gets weighted as part of
11 the decision, as well as if the business
12 is a minority, woman or disabled
13 business, so that we've seen that from
14 other places, that they are using -- they
15 are using best value as a tool to both
16 increase participation for minority
17 businesses and women-owned businesses,
18 but also to make sure to use it as a tool
19 for increasing workforce diversity on
20 jobs, because you can look at past
21 performance on the Economic Opportunity
22 Plans.

23 COUNCILMAN GREEN: And looking
24 at other jurisdictions, how have they
25 weighted that type of information? Like

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 what's the range for M/WBEs, local-owned
3 businesses, past performance?

4 MS. RHYNHART: There's a range.

5 One I'm looking at here has past
6 performance on EOPs at 15 to 20 percent
7 and certified minority, women, disabled
8 business credit at 5 to 10 percent.

9 That's just one example I'm looking at,
10 but that's the type of weightings I think
11 we would look to. But as we go through
12 to develop the regulations that govern
13 this process, there will be a working
14 group and there will be a lot more
15 research into exactly how to roll this
16 out and to weight the minority and
17 diversity areas most appropriately.

18 COUNCILMAN GREEN: Okay. Thank
19 you.

20 COUNCILMAN GREENLEE: Thank
21 you, Councilman.

22 Councilman Henon.

23 COUNCILMAN HENON: Thank you,
24 Mr. Chairman.

25 Thank you for your testimony.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 I'm sure you're going to receive a lot of
3 questions here today with best value and
4 some other procurement suggestions,
5 changes that we're hoping to accomplish
6 here.

7 So you speak of the antiquated
8 procurement system that we have here.
9 When was the last time our city's
10 procurement rules and the lowest
11 responsible bidder, when was the last
12 that they were updated?

13 MS. RHYNHART: The last time
14 the lowest responsible bidder provisions
15 were updated was 1951. So 1951 when the
16 Charter was enacted. So this is a long
17 time coming for us to do this.

18 COUNCILMAN HENON: So truly
19 when you hear -- I think modernizing has
20 been a catch word throughout
21 Pennsylvania --

22 MS. RHYNHART: Right. This is
23 not cutting edge. It's bringing us
24 forward, but it is not cutting edge,
25 unfortunately.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 COUNCILMAN HENON: All right.

3 So you learn something new every day. I
4 knew it was antiquated, but...

5 In best value, there is a great
6 opportunity to award a contract based off
7 of past performance with the City, but
8 what specifically can be done with best
9 value to encourage vendors and
10 contractors who have not had a proven
11 record or have not had a record to become
12 part of the Philadelphia process as you
13 modernize our procurement system? For
14 example, will the awards likely go to
15 those who have had previous contracts?

16 MS. RHYNHART: I hear you. No.
17 I mean, we'll take that into
18 consideration. So what we don't want to
19 do is penalize firms that have not
20 perhaps been a prime before on a job. So
21 if, for example -- we want to figure out
22 a way to be able to weight past
23 performance on Economic Opportunity Plans
24 in order to reward those that have had
25 that past experience and done well or to

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 give negative points to those that don't
3 do well. However, if a company has not
4 had experience, like if they've never
5 been a prime, they wouldn't have had an
6 Economic Opportunity Plan before, so we
7 would ask them about other experience
8 they might have had or -- what we don't
9 want to do is to push them out of the
10 playing field.

11 COUNCILMAN HENON: Right. So
12 in crafting and taking a look at -- there
13 was a procurement working group,
14 intergovernmental and some of the
15 offices. I know my office was proud to
16 be a part of that. There was a lot of
17 conversation about trying to outreach and
18 reaching out to members and businesses in
19 the community. What is the plan for
20 that, to get people online and registered
21 and/or pre-registered to qualify to be a
22 part of the modernized procurement
23 system?

24 MS. RHYNHART: That's a really
25 good question, because one of the things

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 that we've been focusing on is vendor
3 outreach to get more businesses, more
4 local and small, minority-owned
5 businesses to do business with the City,
6 because what we found in doing the
7 research is that we have -- we don't have
8 enough bidders on many of our
9 opportunities, and we have opportunities
10 where we only have two or even one
11 bidder, and that shouldn't be that way.
12 And so we've been going out and
13 established a pretty robust outreach plan
14 that probably Trevor Day could go into.

15 COMMISSIONER DAY: We've done a
16 significant marketing plan around
17 PHLContracts, which is our e-procurement
18 system, and really this is just the
19 beginning of that sort of outreach.
20 We're looking at it as not a one-time
21 thing but an ongoing plan. So we've met
22 several times with different Chambers of
23 Commerce. We participated in some focus
24 groups. We've reached out to SBDCs.
25 We've sent documentation to all

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 Councilpeople and really encouraged if
3 you have contacts or whatever, we're more
4 than willing to go out into the community
5 and meet with them, do presentations.
6 We've done that through MED Week. We've
7 done that at a variety of other events.

8 COUNCILMAN HENON: So you're
9 going to continue to keep Council --

10 COMMISSIONER DAY: Right. This
11 is not a one-time -- once we hit January
12 1st, we're going to stop that. No. This
13 is a continuous operation.

14 COUNCILMAN HENON: So you
15 intend it for it grow --

16 COMMISSIONER DAY: Yes.

17 COUNCILMAN HENON: -- in
18 participation?

19 So right now there's a law for
20 EOP, the submittal of an EOP plan. So
21 that's already codified. It's a law and
22 it's a part of our process with
23 contracts. The amendment, which I happen
24 to think is very, very good and it really
25 kind of holds, I think, the City

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 accountable for reporting the numbers for
3 the 6-109 that's in our Charter for
4 disadvantaged business enterprise, how do
5 you think that really meshes with
6 modernizing the procurement with best
7 value? Because I think it really does
8 publicly and transparently hold our
9 system accountable for reports.

10 MS. RHYNHART: I mean, I think
11 that it's --

12 COUNCILMAN HENON: Which we may
13 or may not have been doing in the past.
14 So I think the frustration with Council
15 is, okay, it's a law and it's a part of
16 our system, but are we actually
17 implementing it and reporting on the
18 process.

19 MS. RHYNHART: Well, I can
20 speak to the amendment in that -- I mean,
21 we think --

22 COUNCILMAN HENON: And that is
23 the amendment. I'm talking about the
24 amendment.

25 MS. RHYNHART: Yes. So the

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 amendment I think including the language
3 to participation in City contracts by
4 disadvantaged business enterprises, I
5 think that is absolutely what the intent
6 is, and it makes it more -- it makes it
7 even clearer that what we're trying to
8 do, which is to say that we can move
9 forward the goals of increasing
10 participation and workforce diversity
11 through best value, and this makes it
12 very clear. So I appreciate the
13 amendment.

14 COUNCILMAN HENON: Okay. And
15 in that amendment as per this Charter
16 reference, such other related matters as
17 Council may from time to time ordain. So
18 we would like to continue to be a part of
19 the process, but I think the
20 frustration -- and others will speak
21 because of their tenure and their
22 experience is a lot more passionately,
23 but definitely there is a sense of
24 frustration I think with this body to
25 make sure that accountability is a

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.
2 priority.

3 MS. RHYNHART: Well, I think
4 best value makes strides towards
5 accountability for businesses because it
6 looks at their performance on the EOPs,
7 and in the past we haven't been able to
8 do that. And I think -- I think there
9 has been frustration on this, and I think
10 this legislative change and this Charter
11 change goes a long way to solve that.

12 COUNCILMAN HENON: I agree.
13 Thank you.

14 MS. RHYNHART: Thank you.

15 COUNCILMAN GREENLEE: Thank
16 you, Councilman.

17 Councilwoman Bass and then
18 Councilman Oh and then Councilwoman
19 Sanchez.

20 COUNCILWOMAN BASS: Good
21 morning, I think, still.

22 MS. RHYNHART: Good morning,
23 Councilwoman Bass.

24 COUNCILWOMAN BASS: How are
25 you? I just had a couple of questions.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 Number one, I wanted to thank the bill
3 sponsor and all of you for the work that
4 you've done on this issue, because to
5 have not touched this since 1951 is a
6 long, long time that -- as you said, it's
7 a long time coming.

8 And so I did have a concern,
9 though, and I'm hoping that you can
10 address it for me, because as we move to
11 best value, as I understand what you're
12 saying, the system that we have in place
13 now relies on -- or the system that we're
14 moving to will rely on information from
15 OEO. And so we're relying on the data
16 which says whether a contract has
17 fulfilled its requirements in terms of
18 hiring minority and women businesses.
19 And so if we know that that's not
20 exactly -- and I don't know if Iola wants
21 to weigh in on this. If we know that
22 that system is imperfect, the least we
23 can say about it, how are we going to
24 effectively be able to evaluate these
25 businesses when we know that some of the

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 data that we have on them in terms of
3 what they say their performance has been
4 is inaccurate?

5 MS. RHYNHART: I think that if
6 Iola wanted to address it, she could. I
7 would just say that that's something that
8 we would address when we're going through
9 with our working group, and we'll have to
10 figure out a way -- I mean, if they're
11 providing -- if we get information from
12 the vendor and it's not right, then I
13 would think they would be disqualified.
14 Like, I mean, to me --

15 COUNCILWOMAN BASS: Well, I
16 think it happens every day in
17 Philadelphia.

18 MS. RHYNHART: Really?

19 COUNCILWOMAN BASS: I think
20 there's a whole lot of disqualifications
21 then that should be happening.

22 MS. RHYNHART: So I think
23 that's something that we'll have to
24 figure out. I mean, to be -- I mean,
25 maybe if Iola wanted to say more on that,

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 she could come up.

3 (Witness approached witness
4 table.)

5 COUNCILMAN GREENLEE: Just
6 identify yourself for the record.

7 MS. HARPER: Absolutely. Iola
8 Harper, Deputy Commerce Director, Office
9 of Economic Opportunity.

10 Councilwoman Bass, can you
11 repeat the question. I missed the first
12 part of the question.

13 COUNCILWOMAN BASS: Sure. The
14 idea is that as we're moving forward,
15 we're going to make decisions based on
16 best value, and that's going to include a
17 number of factors, including previous
18 inclusion under OE0 requirements, and if
19 we know that we have a problem within OE0
20 in terms of those applications actually
21 being what they said they would be at the
22 end of the day, that the folks who they
23 said will be on the job are actually on
24 the job and the numbers that were
25 outlined in what was presented to OE0, if

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 we know that that information is
3 inaccurate and we don't seem to have a
4 monitoring system in place in OEO to
5 effectively catch that situation, then
6 how do we address it? How do we
7 effectively address a contractor who is
8 coming forward who is saying, Okay, well,
9 I'm the best value because these are my
10 OEO scores from the past, this is what
11 I've done in the past, and it's not
12 accurate and we haven't monitored it?
13 We've taken what they've said on face
14 value and haven't done any additional
15 checking on that.

16 MS. HARPER: So two answers.
17 One, I wouldn't say that everything is
18 inaccurate. There is --

19 COUNCILWOMAN BASS: Not
20 everything. I don't mean to say
21 everything, but there's a significant
22 amount of problems or issues that's been
23 brought to my attention in OEO with this
24 particular program that we have in place.

25 MS. HARPER: So we are actually

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 looking at that now, Councilwoman. Part
3 of the issue is the reporting out from
4 our contractors themselves. So, for
5 example, we send out a monthly audit to
6 both the prime and the sub via our
7 system, and that sub and the prime are
8 both required -- the prime is required to
9 notify us when they made a payment and
10 then in terms of internal cross checks
11 and balances, that sub has to say, yes,
12 we did receive payment. Part of the
13 issue with that is that a lot of our subs
14 and primes are not responding to that
15 audit.

16 And so what we're looking at is
17 how to do some more outreach and how to
18 do education at the pre-bid meeting and
19 at every process along the way so that
20 our vendors understand how critical that
21 function is and even talking with -- I
22 haven't had a chance to yet, but talking
23 with Finance and the Controller's Office
24 to see how about payments being stopped
25 if those audits are not -- if people

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 aren't responding to those audits in a
3 timely fashion, what recourse do we have.

4 So we're really digging into
5 that right now to take a look at how to
6 get timely, accurate, and relevant
7 information on everybody that's in our
8 registry and everybody that we're
9 providing oversight to.

10 So I don't know if that's
11 helpful, but hearing your concern, just
12 know that it is our concern as well and
13 we are really trying to figure out how to
14 get information that's more timely and
15 information that is relevant and
16 accurate.

17 COUNCILWOMAN BASS: I think
18 that's helpful. It's good to know that
19 you're aware that there's a problem and
20 that there is the beginnings of a system
21 that's going into place to address it,
22 but I guess my concern here is that are
23 we putting the cart before the horse. So
24 how are these things going to -- in what
25 order are they going to be taking place?

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 So how can we establish best value with
3 the new criteria, but at the same time
4 knowing that we have the situation at
5 OEO, is that going to be worked out
6 before we move to the best value system?

7 COMMISSIONER DAY: I can
8 address a little bit. Some of what Iola
9 is talking about is already transpiring.
10 I mean, I've been copied on and attended
11 some meetings with vendors that were set
12 up by OEO staff to address the compliance
13 issue on contracts. So I think Iola's
14 staff is aware of that not everybody is
15 responsive to the report that's going
16 out, but those that are responsive, there
17 is a significant difference between what
18 their goals were and what the actual is,
19 there are meetings that are happening
20 right now.

21 COUNCILWOMAN BASS: Okay.

22 MS. RYHNHART: And I would also
23 just say that if we're going to -- that
24 if we're going to weight the past
25 performance on EOPs, that there's going

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 to need to be a vetting process and
3 basically a dialogue and some checking.
4 There's going to be some process that
5 we're going to have to institute to
6 actually verify that those are the
7 numbers for that firm during that
8 process, during that decision-making
9 process. And we're allowed to -- in best
10 value, you're allowed to go back and have
11 discussions or -- we would have to
12 develop some process in the regulations
13 that Procurement is developing to say
14 there is going to be thorough vetting.
15 So if we put out a best value opportunity
16 for a construction job, we wouldn't just
17 take their word. I mean, from my
18 perspective knowing now that there's a
19 problem, we wouldn't do that.

20 COUNCILWOMAN BASS: That's
21 what's been happening.

22 MS. RHYNHART: I'm sorry?

23 COUNCILWOMAN BASS: I said
24 that's kind of what's been happening.

25 MS. RHYNHART: Right. So, no.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 I mean, I think that we would say, Okay,
3 we're taking past performance into
4 account. We're not going to let them
5 take advantage of that and make up
6 whatever numbers they want. Like that's
7 ridiculous, and so we'll develop
8 something around that.

9 COUNCILWOMAN BASS: Okay. I'm
10 really looking forward to hearing about
11 things as they progress and what we're
12 going to be doing to fix the situation.
13 I'm aware of a situation right now where
14 there's someone who was listed on an EOP
15 and we had some contact with this person
16 casually and said, Oh, we understand
17 you're on this job at this location, and
18 he said, There's a job there? What?

19 So it's happening. It's
20 happening a lot, and we need to be more
21 vigilant on it, and it's something that
22 we're going to continue to pay attention
23 to and want to work with you on.

24 MS. RHYNHART: Absolutely.

25 Thank you.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 MS. HARPER: Noted.

3 COUNCILMAN GREENLEE: Thank
4 you, Councilwoman.

5 Councilman David Oh, sir,
6 please.

7 COUNCILMAN OH: Thank you very
8 much, Mr. Chairman.

9 The Office of OEO, is that
10 created by Executive Order?

11 MS. RHYNHART: Is the OEO
12 created by Executive Order?

13 COUNCILMAN OH: Is that in the
14 Code or is that by Executive Order?

15 MS. RHYNHART: I'm not sure.

16 COUNCILMAN OH: And if it is
17 created by Executive Order, who does OEO
18 report to? Is that the Commerce
19 Director?

20 MS. RHYNHART: Yes.

21 COUNCILMAN OH: Okay. And
22 regarding best value --

23 MS. RHYNHART: I just want to
24 correct. I was just told that it's in
25 the City Code reporting to Finance and

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 then there's an MOU with Commerce to have
3 it report to Commerce, if you wanted to
4 get technical. Maybe that was too
5 technical.

6 COUNCILMAN OH: Is it 17-500?

7 MS. RHYNHART: This is going
8 beyond my knowledge of this.

9 COUNCILMAN OH: Is it 17-500?

10 I thought 17-500 was void. I mean, it's
11 in the Code, but it's void.

12 MS. RHYNHART: We could get
13 back to you.

14 COUNCILMAN OH: This is part of
15 the discussion.

16 MS. RHYNHART: It's part of --
17 I'm sorry?

18 COUNCILMAN OH: 17-500 is
19 entitled "Goals for the Participation of
20 Disadvantaged-Owned Business Enterprises
21 in the City of Philadelphia." That is
22 the Code section that deals with the
23 standards or the enforceability of
24 compliance with meeting the City's goals
25 for minority, women, disadvantaged

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 business participation. That section is
3 void, and I know because I wrote an
4 amendment to it and found out it was
5 void. So then I drafted a new section
6 for 17-500, and I did distribute it
7 around to my colleagues for discussion,
8 and we've had this discussion, and
9 fortunately I don't think there's much
10 disagreement, because some of the things
11 that you articulated in this room,
12 requiring the prime contractor to comply,
13 to prove the participation, the
14 withholding of funds if they don't
15 participate, to look at the minority,
16 women, and disabled-owned -- persons with
17 disability-owned businesses, that you
18 could then kind of see how they hire,
19 whether or not they have minority
20 employees, executives. That is in the
21 legislation, but the legislation has to
22 be introduced.

23 So my question is, as you are
24 now dealing -- very happy to see you
25 dealing with best value, but as that

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 moves forward, can you not also introduce
3 legislation, new legislation, for Section
4 17-500 that would establish in an
5 ordinance very clearly what the goals and
6 penalties are for non-compliance with the
7 City's minority and disadvantaged
8 business enterprise participation?

9 MS. RHYNHART: I think we can
10 definitely look at it and talk to you
11 about it. Absolutely.

12 COUNCILMAN OH: Okay. Because
13 Atlanta has ordinances. Philadelphia has
14 an expired Executive Order and a void
15 Code section. So right now I'm not
16 clear, even if you do the best value,
17 exactly where is the enforceability and
18 the clarity. Because you've said a lot
19 of great things, these businesses that
20 just bid with a minority partner and
21 never use them. Councilman Green has
22 alluded to the fact that you need someone
23 baking the cake before the cake comes
24 out. So the Office of OEO actually
25 having or the Diversity Officer having

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 someone in the creation of the bid, that
3 process, would be articulated in Section
4 17-500, and it would seem to me that as
5 we are sitting here looking at Rebuild,
6 that this Charter change, which is a far
7 more lengthy process than an ordinance,
8 that the ordinance be introduced and
9 passed so that when the Charter change
10 comes out on best value, we have a clear
11 standard, clear consequences, very
12 objective criteria for the City's
13 ordinance for minority, female, and
14 disability business participation.

15 MS. RHYNHART: We'd be happy to
16 look at it.

17 COUNCILMAN OH: Okay.

18 MS. RHYNHART: I haven't seen
19 it before, but I'm happy to look at it.

20 COUNCILMAN OH: So I may be
21 wrong. I'm going to have to double-check
22 this. Councilman Green is telling me it
23 was repealed and replaced in 2015.

24 MR. WILLIAMS: Councilman, if I
25 may speak. T. David Williams, Deputy in

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 CAO responsible for professional services
3 contracts.

4 17-500 also now is reflected or
5 some of the Disparity Study participation
6 goals language is reflected in 17-1500,
7 and then we also have Executive Order
8 03-12, which has not expired. Actually,
9 03-12 has been carried on by this
10 Administration.

11 COUNCILMAN OH: Okay.

12 MR. WILLIAMS: 3-12 amended.

13 COUNCILMAN OH: Okay. We'll
14 figure it out. Thank you very much.
15 It's a little complicated trying to
16 figure where this is. Thank you.

17 MR. WILLIAMS: You're welcome.

18 COUNCILMAN GREENLEE: Thank
19 you.

20 Councilwoman Sanchez.

21 COUNCILWOMAN SANCHEZ: Thank
22 you.

23 Good afternoon. I want to
24 thank the Administration for moving very
25 quickly in looking at best value as an

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 opportunity to meet some of the goals we
3 haven't met.

4 I just want for clarification
5 purposes, does the amendment offered by
6 Councilman Henon allow Council to approve
7 the regulations or are the promulgation
8 of the regulations solely at the
9 discretion of the Administration?

10 MS. RHYNHART: The regulations
11 are an Administration duty to form.
12 We're happy to involve you or members of
13 your staff in the working group to form
14 those.

15 COUNCILWOMAN SANCHEZ: I think
16 it's really important. Half of the
17 battle is going to be winning the minds
18 of people that we're actually really open
19 to do business, and I think for those of
20 us who have to go over there and be the
21 face of saying this Administration or any
22 Administration, all of us who champion
23 this, that we're really interested in
24 inclusion and diversity, we need a little
25 bit of teeth behind that. And I will say

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 I'm a little concerned around some of the
3 regulations recently promulgated by the
4 Health Department and its impact on small
5 businesses. So I don't know what the
6 amendment comprises, but I'd like to see
7 some sort of component where Council gets
8 to review some of this, because this is a
9 really big step. We haven't done it
10 since 1951. So I would -- I'm happy to
11 look at the amendment and look at that.

12 But I want to go to the issue
13 that is really at the center of all this,
14 which is our inability to project
15 management, and want to know what are we
16 doing to prepare an adequate project
17 management data system that's really
18 going to help us inform what we want to
19 do in the value-based system that we
20 cannot currently do in our responsible
21 lowest bidder. I think it's hugely
22 important that that be data driven.

23 So my question is, what are we
24 doing to research currently how we bid
25 contracts, what are the problems, and how

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 are we going to address the real big
3 issue around project management, which
4 leads to the enforcement challenges that
5 we've had?

6 MS. RHYNHART: So there were, I
7 think, a few questions or points in
8 there. So I would say in terms of what
9 best value allows us to do and then I'll
10 talk about the project management piece.

11 So best value -- well, I'll say
12 the current system of lowest responsible
13 bidder is very black and white. So
14 you're either responsible or you're not.
15 There's a threshold for that, and if
16 you're found to be responsible, even if
17 you're like a so-so responsible versus an
18 awesome responsible, it doesn't -- that
19 doesn't -- there's no gray in that. So
20 best value allows us to take a lot of
21 multiple factors and to have a more
22 holistic, well-rounded decision-making
23 ability.

24 COUNCILWOMAN SANCHEZ: One of
25 the things -- and I want to go back to

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 that point, because I think that one of
3 the biggest frustrations of this
4 Council -- and I know Councilman Goode
5 worked on this -- is that we haven't
6 really defined responsible. The fact of
7 the matter is, you have, we have
8 contractors, the same ones, who have
9 multiple contracts with departments who
10 are not online by their timeline or on
11 budget. And so what I want to make sure
12 is that when we go over to a value-based
13 system that obviously this Council will
14 work to define, that we're clear that our
15 problem is the enforcement and the
16 definition of what "responsible" is. The
17 lowest hanging fruit on this, no one
18 should be able to get a new contract when
19 they have a contract that's
20 non-compliant. So the enforcement and
21 the project management to me are some of
22 the missing pieces to this. And if in
23 fact the decision-making is still going
24 to be allowed in the departments, how is
25 it that we're going to ensure that the

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 departments are in fact making decisions
3 based on a project management dataset
4 that makes someone responsible based on
5 what our new values are going to be?

6 I can just see us transferring
7 a very broken system about responsible,
8 which we agree that we don't have some
9 responsible contractors, and then
10 transferring over to a value-based system
11 because we lack project management.

12 MS. RHYNHART: No. I think
13 that's another issue that we need to
14 tackle. I think -- I wouldn't say that
15 we're fixing something broken in a way
16 that doesn't make sense. Best value is a
17 best practice and it makes much more
18 sense.

19 COUNCILWOMAN SANCHEZ: But the
20 fact that we haven't disqualified
21 contractors shows us that we're not
22 willing to put teeth behind what we're
23 doing.

24 MS. RHYNHART: I would say --

25 COUNCILWOMAN SANCHEZ: We've

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 done three.

3 MS. RHYNHART: Right. And I
4 would say that there's a high bar for
5 that and -- look, I agree that there is
6 definitely room for improvement on
7 project management, and we are working
8 towards that.

9 COUNCILWOMAN SANCHEZ: What
10 datasets are we collecting to inform
11 that? Like right now -- we had this
12 discussion before. Like what are we
13 doing department by department? What are
14 we requiring department by department to
15 catalogue what we've done in the past
16 that will demonstrate whatever patterns
17 of problems we need to fix? What are we
18 doing right now? Because this is going
19 to take us 18 months if we're all on the
20 same page, and hopefully we will be to
21 get to. What are we doing right now to
22 stop what is the bad practice of
23 continuing to hire the same bad
24 contractors who take us over budget, over
25 timelines and so forth?

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 MS. RHYNHART: Well, there have
3 been efforts in project management.
4 Bridget Greenwald, the Property
5 Commissioner, has put a big push in her
6 team. She has a new Deputy for Capital
7 Projects that is really focusing on this.
8 They are having weekly status meetings
9 and going through issues. They're having
10 to report back on each project by vendor.

11 So there is -- the
12 Administration is instituting change on
13 that front. I would just -- one
14 clarification comment, that best value
15 will be run out of the Procurement
16 Department. So it will involve the
17 departments, but it will be centralized,
18 so, that is, it won't be solely in the
19 departments.

20 COUNCILWOMAN SANCHEZ: Okay.
21 Again, this is going to take us 18 months
22 to get to. And I agree there are weekly
23 meetings happening. I know our office
24 has been participating, and we appreciate
25 the fact that our backlog is starting to

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 see the light.

3 MS. RHYNHART: Good.

4 COUNCILWOMAN SANCHEZ: So we
5 are excited about that. My concern is
6 that we're still making decisions --
7 you're pushing a lot of things out the
8 door. We're still making decisions based
9 on responsible bidder and very little
10 enforcement of -- because we're still
11 using the same actors. So all we're
12 doing now is, we're meeting weekly to
13 monitor the bad actors.

14 MS. RHYNHART: Well, we're
15 meeting weekly to monitor the projects
16 that we have ongoing. So I think that
17 not everyone we do business with is a bad
18 actor. I think the best value is a way
19 towards being able to pick even better
20 vendors, and in the meantime while we are
21 working towards best value, there are
22 efforts and progress being made in moving
23 those projects along and holding the
24 vendors more accountable, which is
25 resulting in projects getting done

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 faster, as you've just recognized in your
3 own district. So we have been seeing
4 greater movement on the capital projects
5 than we've seen in years over the last
6 few months.

7 COUNCILWOMAN SANCHEZ: So is
8 the Administration willing to allow us to
9 build in project management to some of
10 the projects moving out the door now? My
11 concern is, again, it's taking a lot of
12 staff time to oversee the ones that we're
13 pushing out the door. Are we totally
14 opposed at looking at some project
15 management that will report to Council
16 and to the team to better manage and we
17 can get a better handle of where we have
18 the breakdown?

19 MS. RHYNHART: I think we could
20 definitely talk about it. I don't know
21 how exactly that would work, but if --

22 COUNCILWOMAN SANCHEZ: Some of
23 the best practices that we're looking at,
24 design-build, paying of vendors, even OEO
25 talked about making sure our vendors

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 answer surveys, that's project
3 management. That is about project
4 management.

5 MS. RHYNHART: Right.

6 COUNCILWOMAN SANCHEZ: And my
7 fear is that we're going to get every
8 silo to do their part of it as opposed to
9 saying how do we build in a project
10 management component to every contract to
11 ensure all of the different things we
12 want to meet, whatever the responsible
13 bidder matrix, that we ensure that we
14 have -- that we're not accepting bids
15 where only two come in, that we say what
16 is the baseline of "that needs to go back
17 out, that's unacceptable"? So how are we
18 managing that?

19 MS. RHYNHART: Well, we're
20 putting energy on every front there.

21 COUNCILWOMAN SANCHEZ: Why
22 can't we put it on every single contract
23 so that between the next 18 months, we
24 get to identify where all of the missing
25 pieces are so that when we go to a best

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 value system, we're building that in?

3 My fear is that we are still
4 not going to be able to capture where all
5 of the things fall off on. So there is
6 the design-build of a piece. There's the
7 architectural designs to make sure that
8 we have the potential to de-bundle,
9 what's that going to look like, if we're
10 really committed to that. And I think
11 the Administration is. How do we manage
12 those subcontractors and help them build
13 capacity. I think that without bringing
14 in that capacity right now, it is going
15 to be hard for us to design a good
16 practice moving forward, because no one
17 is managing that.

18 We have different components of
19 it. We still do. And even if it is to
20 say what are the types of projects we're
21 going to be managing, Rebuild, you know,
22 Streets and Services or whatever, and how
23 do we do a couple of pilots where we're
24 managing those and looking at where all
25 the breakdown is happening so that we can

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 better inform -- if we're going to move
3 in this direction, we want this to work.
4 We really want this to work, but I fear
5 that we don't have the capacity at the
6 table to project management and a
7 consultant that's going to get things
8 done on time, that's really going to
9 monitor these change orders but, more
10 importantly, is going to inform us about
11 this is what we're missing.

12 MS. RHYNHART: So I would say
13 to that that, first of all, my office and
14 the people that work in the CAO's Office
15 for me have been working really hard to
16 map out processes and to work on all of
17 those different things that you just
18 outlined. So whether it's working
19 with --

20 COUNCILWOMAN SANCHEZ: Rebecca,
21 I don't think we have the internal
22 capacity to do that.

23 MS. RHYNHART: I hear you. I
24 hear you. Wait. Let me just -- I hear
25 you. I hear you. So I just wanted to

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 make the point, though, that we are
3 working on every single one with the
4 breaking down processes, working on each
5 vendor payment, working with OEO, working
6 with Public Property on holding vendors
7 responsible. Then in addition, we do
8 think that with the -- as we work on the
9 regulations for best value, that we'll
10 also need to think about what the support
11 of that will look like in the Procurement
12 Department. So is it just training
13 that's needed or how will workflow occur.

14 COUNCILWOMAN SANCHEZ: That's
15 what an external person brings to the
16 table in a project. And I just think
17 that because every time we've had this
18 discussion on some of the projects, we
19 end up going to this master contract
20 piece because we don't have the capacity
21 to bid it, design, and do all these
22 projects. So we go to these master
23 performance contractors that we have, two
24 or three of them, that work on all of
25 these projects. And so we don't know

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 what best value is. We don't know if
3 we're truly getting the lowest bidder,
4 because it's kind of the same. We're
5 doing things the same. We're just trying
6 to do them faster. And what I'm saying
7 to you is, I think this is the time when
8 we build in the capacity and externally
9 by bringing in project managers, where,
10 by the way, we could add diversity, but
11 who are really going to inform us, who
12 externally have no skin in the game.

13 I don't -- everybody that works
14 at Capital, like we are overstretching
15 people to do stuff. You have an
16 architect trying to be a project manager.
17 You have all of these things. I just
18 feel like if we're really committed to
19 this, this is the time where we bring in
20 some of that capacity to inform.

21 MS. RHYNHART: So you're
22 suggesting bringing in outside
23 consultants, not City staff, outside
24 consultants?

25 COUNCILWOMAN SANCHEZ: I am

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 saying to you that we need to bring
3 project management capacity, build it
4 into our projects -- ten percent, we
5 already know we go over budget more than
6 10 percent -- to manage these projects
7 and inform what our best value process is
8 going to be on design-build. What is
9 going to get the City the best value on
10 the design-build, on the de-bundling, on
11 the contract construction management,
12 what Councilwoman Bass talked about, that
13 people are really on the ground, that
14 people are filling out the surveys, that
15 people are getting paid on time, and that
16 projects are going to be turned in on
17 time. I think that this is the time when
18 we do that. If you do that on several
19 different projects, I think it's going to
20 inform the process, and I think it's
21 going to build faith that we're really
22 looking at how do we create a process
23 that is efficient and effective, but at
24 the same time, we're building the
25 necessary internal capacities.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 I don't know that we have the
3 time to say, you know, in the next 18
4 months, we're going to get that, unless
5 we have external eyes looking at the
6 process.

7 MS. RHYNHART: I mean, we could
8 definitely look at it. I think -- we
9 could talk further about it.

10 COUNCILWOMAN SANCHEZ: I think
11 we need to build some sort of pilot to
12 really inform this. If we're going to
13 ask the public to trust that we're really
14 going to move in an inclusive --

15 MS. RHYNHART: Well, I don't
16 know if I -- I think that we, through the
17 CAO's Office, have done an extensive
18 amount of work and really nitty-gritty
19 process -- driving process and all of the
20 improvements around that, with paying
21 vendors on time and holding departments
22 more accountable and all of that. So
23 I --

24 COUNCILWOMAN SANCHEZ: No one
25 is saying that's not happening. I'm not

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 saying that. I'm saying our folks are
3 stretched, and rather than just bring in
4 more folks into a process, what is the
5 problem with bringing in and building in
6 some external eyes to help inform the
7 process? That's all I'm saying.

8 MS. RHYNHART: No; I think it's
9 definitely worth looking at. I can't
10 commit to hiring an outside consultant on
11 the spot.

12 COUNCILWOMAN SANCHEZ: All I'm
13 saying is, we don't have project
14 management. That's not what's going on,
15 Rebecca. You and I both know, because we
16 talk too much around this stuff, we don't
17 have it, and we have every single person
18 that engages in this procurement process
19 looking at their own external evaluation
20 pieces and no one managing that. And all
21 I'm saying is, that has to come together
22 so that OEO could be effective, so that
23 people can trust the process. And I'm
24 just saying that it's not that people
25 don't have good intentions, but good

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 intentions doesn't get us good results.

3 I mean, I've been having this

4 conversation for nine years. You and I

5 have been having it for nine years. And

6 I want this process to work. I just

7 think we need external supports to get

8 there. That's it.

9 MS. RHYNHART: Okay.

10 COUNCILWOMAN SANCHEZ: I'm

11 sorry. I won't --

12 COUNCILMAN GREENLEE: That's

13 okay. Thank you, Councilwoman.

14 Councilman Henon.

15 COUNCILMAN HENON: Thank you,

16 Mr. Chair.

17 The Councilwoman raises

18 obviously a lot of frustrating points we

19 had here. I just want to -- I'm sitting

20 here and I'm thinking and I'm listening

21 to the, I think, necessary public

22 conversation about where we are and what

23 are frustrations and what we can actually

24 change. We never start any new system or

25 program out to perfection. Look where we

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.
2 went with AVI. We're still trying to
3 change and add. We protected citizens of
4 the City of Philadelphia from unjust
5 increases, but when you have a
6 procurement system from 1951 and it's
7 2016 and we have -- as a matter of fact,
8 the Councilwoman, to her credit,
9 introduced a bill and we successfully
10 passed a procurement bill that was
11 intimately involved with that, helps most
12 of her questioning that she just talked
13 about here publicly with the local
14 preferences for minority-owned
15 businesses, having requirement for
16 Philadelphia to actually being a part of
17 the business and residing here in the
18 City of Philadelphia and being a major
19 principal of the local business. So I
20 think that step may put us in the right
21 direction. Will it solve everything?
22 No. Best value will not solve everything
23 either, but it's a step in the right
24 direction. We can't rest on, Well, I
25 don't like the way things are operating,

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 let's just critique it to death and not
3 move forward with it, when we have a
4 system that's dated when the Charter was
5 made.

6 MS. RHYNHART: Right.

7 COUNCILMAN HENON: So we have
8 to incrementally make changes for the
9 positive and integrate it with
10 technology, talk about all of these
11 issues that are important, engage,
12 aggressively engage, businesses, local
13 businesses, to pre-qualify for the status
14 that will be weighted heavily through
15 best value and move forward. Prompt pay,
16 as Councilwoman Cindy Bass is here, it's
17 an issue that I hope we address and I
18 think you -- through her hearings that we
19 had on prompt pay, that's an issue, and
20 hopefully this solves some of that. And
21 design-build -- none of this is new, all
22 that design-build stuff, and we know it
23 saves money and all that kind of stuff.
24 I think the real question is, can you
25 handle with the new system, can you

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 handle best value. It's new, so it's
3 change, and people are -- some people are
4 afraid of change and some people are --
5 we should always question change, but we
6 need to move forward with best value and
7 we need to take in all of the
8 considerations that the members have had.

9 City Council, we have a
10 separation of powers, the legislative
11 body and administrative body, and you
12 have the administrative prerogative. We
13 would like to have input on those
14 regulations, but certainly I don't think
15 we want to dictate -- I don't want to
16 dictate on how you do business and
17 operate every single day. I have a
18 district that I need to answer to, and
19 the City of Philadelphia deserves the
20 best and newest technology and systems.

21 By the way, best value, I just
22 want to go back, is not new. The federal
23 government has been using best value for
24 30 years, which leads to my last
25 question. Can you explain how best value

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 has been implemented in the federal
3 government, state, and local levels
4 across the country? Like so what
5 projects are they typically selected --
6 are selected for best value procurement?
7 So that would be one. It's not that
8 complicated. That would be one. It's
9 change, but it's not that complicated.

10 Two, are there similar
11 components to the RFPs that indicate that
12 best value is most useful?

13 So let's start with one. What
14 types of projects are typically selected
15 for best value in procurement?

16 MS. RHYNHART: So types of
17 projects would be ones that are complex.
18 Construction projects come to mind as
19 well as something like an IT maintenance
20 contract. We have some IT systems that
21 we bid out maintenance on, and we are --

22 COUNCILMAN HENON: Are they
23 professional services?

24 MS. RHYNHART: Well, no. Right
25 now they're actually competitively bid.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 So there's bid specs that are written,
3 but by the time the City writes them,
4 they might be like a year or two outdated
5 because technology moves so quickly. So
6 then only the technology companies that
7 can meet the bid requirements of the bid
8 specs can respond. Often we might get
9 one response or no responses and have to
10 rebid it, because by that point, the
11 IT -- the tech companies have moved on to
12 a different way to provide that same
13 service, but our bid specs doesn't allow
14 for that.

15 So that's just one example of
16 any time that we need to go out for a
17 service and say -- basically ask the
18 vendor community what is the best way to
19 provide this service that we need. So
20 there is -- that's one example, IT
21 maintenance contracts, and in
22 construction projects, complex projects
23 where you really want to look at past
24 performance. You want to weight more
25 things than just price. So it's not just

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 buying like napkins or something like
3 that.

4 COUNCILMAN HENON: All right.
5 Other agencies on the City -- or not
6 City. I'm sorry; federal and state level
7 and across the country have been using
8 best value for years; is that correct?

9 MS. RHYNHART: That's right.
10 And, in fact, looking at the 20 largest
11 cities, there's only one other city that
12 doesn't use best value.

13 COUNCILMAN HENON: Should we be
14 raising our hand? That would be us?

15 MS. RHYNHART: It's us -- well,
16 there's one other city besides us out of
17 the top 20, which is Indianapolis, but
18 the 18 of the 20, New York, Chicago,
19 Houston, Phoenix, I mean, I could read
20 the whole list, but everyone uses best
21 value.

22 COUNCILMAN HENON: So best
23 value takes in consideration the changes
24 that we have and the accountability or
25 will -- I should ask you this. Will best

11/22/16 - LAW & GOV. - BILL 160678, ETC.

value and the back end in which the
Procurement Department will consider as
what's measured or how it gets applied,
will it take in consideration all the
other EOP and diversity laws that we have
had on the books since 2006 and beyond
and most recently have just passed, such
as the local preference that Councilwoman
Sanchez has introduced and successfully
passed? Would they all be a part of the
procurement and taken in consideration
with the best value?

MS. RHYNHART: Yes. Yes, they
will.

COUNCILMAN HENON: So the bill
that we just passed for local businesses,
local MBE/WBE, veteran-owned business
enterprises in our procurement system
with 60 percent or 50 percent residents
and/or principals of a local business
enterprise will be weighted in best
value?

MS. RHYNHART: Right. That's
correct.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 COUNCILMAN HENON: Okay. Thank
3 you.

4 MS. RHYNHART: Thank you.

5 COUNCILMAN GREENLEE: Thank
6 you, Councilman.

7 You had another one?

8 COUNCILMAN HENON: Excuse me.
9 Point of clarification. That's on Second
10 and Final Passage. So it will be passed
11 at the will of Council.

12 MS. RHYNHART: A minor point.

13 COUNCILMAN HENON: See, I
14 thought it was such a good bill it
15 already passed. Thank you.

16 COUNCILMAN GREENLEE: Thank
17 you.

18 There are no other questions?

19 (No response.)

20 COUNCILMAN GREENLEE: Is there
21 anyone else here to testify on these
22 bills, 160971, 160972, and Resolution
23 160981?

24 (No response.)

25 COUNCILMAN GREENLEE: Seeing

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 none, Ms. Marconi, our final two bills
3 today, please.

4 THE CLERK: Bill No. 160678, an
5 ordinance amending Title 17 of The
6 Philadelphia Code, entitled "Contracts
7 and Procurement," by revising and
8 improving the City's contracting and
9 procurement process, including by
10 providing for certain notices to be
11 posted by the City relating to
12 contracting decisions, all under certain
13 terms and conditions.

14 Bill No. 160679, an ordinance
15 amending Title 17 of The Philadelphia
16 Code, entitled "Contracts and
17 Procurement," by revising and improving
18 the City's contracting and procurement
19 processes, including by providing for a
20 vendor registry for improved vendor
21 management and information processes, and
22 for certain vendor registration
23 requirements, all under certain terms and
24 conditions.

25 MS. RHYNHART: Well, good

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 afternoon now --

3 COUNCILMAN GREENLEE: Good
4 afternoon.

5 MS. RHYNHART: -- Councilman
6 Greenlee and members of the Committee. I
7 am here today to testify on Bills 160678
8 and 160679. With me today are Trevor
9 Day, the Procurement Commissioner, and T.
10 David Williams, a Deputy CAO, head of the
11 Professional Service Contract Unit.

12 Bill 160678 would amend Section
13 17-1402 of The Philadelphia Code to
14 require non-competitively bid contracts
15 to include a copy of the notice of the
16 contract opportunity and other related
17 documents to be posted on the City's
18 website where the notice of intent to
19 contract is posted. This bill also
20 requires the information to remain on the
21 website for five years. The bill will
22 increase transparency in public
23 contracting, and the Administration
24 supports it.

25 Bill 160679 would amend the

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 Code to institute a single vendor
3 registry for contracts subject to the
4 lowest responsible bidder requirement
5 handled through the Procurement
6 Department and Professional Services and
7 any other contracts subject to Chapter
8 17-1400 handled by the Professional
9 Services Contracts Unit. On behalf of
10 the Administration, the CAO supports the
11 goal of creating one vendor registry to
12 streamline and modernize business
13 processes. Modernizing business
14 practices is a key focus of the Office of
15 the CAO.

16 When the Kenney Administration
17 took office less than a year ago, all
18 bidding opportunities through Procurement
19 were done in paper. There was no vendor
20 registry for Procurement and no online
21 bidding. The CAO's Office together with
22 Procurement have been working on
23 implementing an e-procurement system
24 which creates a vendor registry as well
25 as online bidding. Registration has

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 started and is currently ongoing. We
3 currently have a vendor registry set up
4 for contracts related to Chapter 17-1400
5 through the eContract Philly site. This
6 site currently has over 15,000
7 registrations and also includes
8 electronic applications. Because of the
9 technical challenges associated with
10 creating one vendor registry in the short
11 term, we are going to be rolling out
12 something called Contracts Hub, a single
13 site which will link the two registries
14 through one portal of opportunity
15 postings.

16 And this concludes my
17 testimony, and we're happy to answer any
18 questions you may have at this time.

19 COUNCILMAN GREENLEE:

20 Ms. Rhyhart, I see on 160679 we have
21 amendments. They look like pretty --
22 just technical, kind of making things
23 clear?

24 MS. RYNHART: That's right.

25 We support those amendments and the

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 technical changes.

3 COUNCILMAN GREENLEE: Okay.

4 Thank you.

5 Councilman Henon.

6 COUNCILMAN HENON: Did you give
7 testimony for both bills?

8 MS. RHYNHART: I did.

9 COUNCILMAN HENON: Okay.

10 MS. RHYNHART: Was that okay?

11 COUNCILMAN HENON: That's good.

12 That is great. Let's go to the one
13 vendor registry bill, 160678. Right now
14 you have eContract that's up online. Can
15 you explain that?

16 MS. RHYNHART: Sure.

17 So e-procurement?

18 COUNCILMAN HENON: Or what
19 eContracts --

20 MS. RHYNHART: Sure. So we
21 have eContract Philly, which is currently
22 up for professional services contracts
23 and has been for some number of years.
24 And then the e-procurement system is the
25 one that has been recently implemented.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 If you want more information on eContract
3 Philly, T. David can provide that.

4 COUNCILMAN HENON: That's fine.
5 But eContracts is a new system?

6 MS. RHYNHART: So e-procurement
7 is a new system.

8 COUNCILMAN HENON: I'm sorry.
9 E-procurement is a new system.

10 MS. RHYNHART: The names all
11 sound similar. E-procurement is a new
12 system, and this will enable -- the new
13 system enables us to do online bidding
14 and enables vendors to register online.

15 COUNCILMAN HENON: So the
16 transparency --

17 MS. RHYNHART: Absolutely.

18 COUNCILMAN HENON: -- the
19 disclosure is much more publicly
20 available and you can see it.

21 So the intent of this bill is
22 not only the registry, but to keep the
23 RFP live on the order for the length of
24 five years?

25 MS. RHYNHART: Right.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 COUNCILMAN HENON: This way, in
3 my opinion and other members, recent
4 awards, why they were selected, having it
5 disclosed really gives people a chance to
6 understand either why they weren't
7 selected or what they need to do to
8 compete. Would that be a fair statement?

9 MS. RHYNHART: Yeah. I think
10 that -- I mean, we support that, keeping
11 the -- we're fine with that. We support
12 the transparency and just need to do the
13 technological fix in order to keep the
14 opportunities and selection criteria out
15 there for a longer period of time.

16 COUNCILMAN HENON: Right. And
17 I think more transparency equates to more
18 competition --

19 MS. RHYNHART: Absolutely. I
20 think --

21 COUNCILMAN HENON: -- for
22 bidders and qualifiers, and this way,
23 they understand where they are in the
24 process of what they need to work on and
25 to compete because it's transparent, and

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 which I think will spark more competition
3 for more people.

4 MS. RHYNHART: Yes. I agree
5 with that. And transparency is one of
6 the key things that we've been working
7 towards, because one thing that we have
8 heard from businesses is that they
9 just -- they don't know how to do
10 business with us. They don't know -- it
11 seems daunting. So we fully agree that
12 the moves towards transparency are
13 positive.

14 COUNCILMAN HENON: So
15 Procurement has a new registry, right?
16 And what are the advantages of that
17 registry? Does it eliminate repetitious
18 paperwork?

19 MS. RHYNHART: Yes, I would
20 think so.

21 COMMISSIONER DAY: Sure. I can
22 address that.

23 So, yeah. One of the benefits
24 is the -- there's some paperwork that is
25 submitted at every opportunity, and that

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 has been sort of every six months, every
3 year vendors can submit that to their
4 profile as opposed to when they submit
5 their bid. Additionally, I mean, one of
6 the biggest components to e-procurement
7 is electronic communication, being able
8 to communicate with vendors, notify them
9 of any changes to bids. They can
10 indicate whether they are interested in a
11 bid.

12 We posted our first opportunity
13 two weeks ago. It was an opportunity
14 that had two responses last time. We've
15 already had five vendors indicate that
16 they're interested in the opportunity.
17 So it really creates more of a sense of
18 transparency.

19 COUNCILMAN HENON: Which is
20 great. Does it push notifications, and
21 if it does, does it push it by job?

22 COMMISSIONER DAY: Yes, it
23 does.

24 MS. RHYNHART: This is a really
25 great thing, so I'm going to take over as

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 the rah-rah cheerleader of this feature
3 of our system.

4 So what this enables in the new
5 e-procurement system is, vendors can sign
6 up for like if they just want to see
7 specific opportunities related to a
8 certain subset of what the City does
9 business. If they only want to see
10 printing or something like that, they
11 would get notifications just of those
12 opportunities, which is a really big deal
13 for businesses and something that we've
14 heard loud and clear, that it's really
15 hard for them to constantly be searching
16 our websites to see what opportunities
17 are out there on any given day. So it's
18 a big positive.

19 COUNCILMAN HENON: Okay. Could
20 you talk a bit about the system that's in
21 place now for professional service
22 contracts. When was it purchased and set
23 up? What were the terms of that
24 purchase? How does it get updated? So I
25 have a list of follow-up questions to

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 that, like the cost for the updates, is
3 it managed in-house or by a third party,
4 and how does it differ from the new setup
5 with PHL Contracts -- with e-procurement?

6 MR. WILLIAMS: Councilman, I
7 can answer all of those questions except
8 for maybe the last one, and I'll allow
9 Commissioner Day to handle that.

10 EContract Philly is the
11 public-facing portal for ACIS, which is
12 the Automated Contract Information
13 System. ACIS itself is a homegrown
14 system that's about 20 years old, and
15 that's the system that houses all of the
16 contract information for the City. We
17 have contracts in ACIS that go back to
18 1995 and all the way current.

19 EContract Philly came online
20 probably in 2006, and that was in
21 response to then-Councilman Nutter and
22 Council's adoption of Chapter 17-1400,
23 which was built around contribution
24 disclosures and the like. So eContract
25 Philly came online in 2006. It is a

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 system that allows vendors to register,
3 allows vendors to review all of the
4 posted RFPs. Some of the information
5 that you want to be kept on longer is up
6 there, and that transparency piece is
7 what eContract Philly is designed to
8 meet. It also is a system where we, on a
9 quarterly basis, provide reports that are
10 required by 17-1400, as well as two
11 annual reports that we provide on
12 eContract Philly. And then it also has a
13 system which we call e-notification,
14 which allows vendors to select an
15 electronic e-mail on a daily basis which
16 tells them what opportunities are posted
17 on eContract Philly, and they can click
18 on that link and go right to the details
19 on eContract Philly without having to do
20 any other search, and then they can log
21 in or if they haven't, they can register
22 and they can begin their application
23 process. So eContract Philly also allows
24 them to do their application process.

25 COUNCILMAN HENON: And

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 eContract Philly is a newer system, what,
3 2006 as opposed to 1951 and 1995?

4 MR. WILLIAMS: Right. So 2006,
5 it's that web-facing portal. Both
6 eContract Philly and ACIS are maintained
7 by my unit with the assistance of an
8 outside vendor, and the vendor that is
9 providing the maintenance and support for
10 the system is actually the vendor that
11 assisted us in '95 with creating and in
12 2006 with creating the two systems. They
13 really are one system together. It's
14 just the internal system and the
15 outward-facing portal.

16 COUNCILMAN HENON: So when
17 would we be able to integrate the two
18 systems into one? When can we expect
19 ACIS to get kind of -- ACIS provides an
20 important service, and it's a Legacy
21 system just as FAMIS and some other
22 systems that we have here. We're trying
23 to modernize a lot of things. When would
24 you -- I'm sure you were looking towards
25 the future in trying to integrate the

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 systems where we can have more than one
3 registry. Are we working towards that,
4 having two registries with Procurement
5 and Professional Services?

6 MS. RHYNHART: The goal would
7 be to have one system, right, the
8 long-term goal. I think keep in mind
9 that Professional Services and
10 Procurement have historically been so
11 separate, even reporting up to different
12 cabinet officials before this January
13 when they both report to me. So they've
14 been so -- they've sort of grown so
15 separately over decades. That's just a
16 little background.

17 In terms of getting to creating
18 one system, the long-term goal would be
19 to replace ACIS at some point over the
20 next, I mean, I would say probably few
21 years. That conversation about the
22 necessity of replacing ACIS versus
23 replacing other systems will take place
24 over the next six or eight months as we
25 have internal discussions within the

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 Administration and through the budget
3 process of which projects that we want to
4 focus on.

5 COUNCILMAN HENON: You're going
6 to submit capital projects, right?

7 MS. RHYNHART: That's right,
8 capital.

9 COUNCILMAN HENON: Okay. I'm
10 going to yield some questioning for other
11 members of the Committee.

12 COUNCILMAN GREENLEE:
13 Councilwoman Gym.

14 COUNCILWOMAN GYM: Mine is just
15 really quick. So part of it is going
16 online with eContract Philly is -- first
17 of all, I want to thank Councilman Henon
18 and others for adding to the
19 transparency. I think it's enormously
20 helpful. It's been something that's been
21 certainly brought up frequently. But I
22 know that as we're doing some kind of
23 subsidy disclosure laws, we're also
24 trying to understand how it can be very
25 accessible to the public. And just one

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 cautionary thing is that as you're
3 starting to map out what this looks like
4 on the eContract Philly page is that
5 reports tend to be difficult and that
6 like a searchable -- a way for bids to be
7 searched by either project level or some
8 kind of structured way for the public to
9 be able to review these bids to
10 understand them. But mass reports are
11 very undigestible I feel like for the
12 broader public, and I know that that's
13 something that we're looking at as we do
14 the site-by-site subsidy disclosures,
15 that our ideal goal is to either look at
16 addresses, industries or other kinds of
17 specific information so that the public
18 can easily be able to see those.

19 So it's just a point of
20 information as you kind of look forward.
21 We had a briefing with OIT, and it's a
22 big concern for us to make sure that the
23 capital expenditures that go towards the
24 IT department are actually achievable
25 within the timeframe that they're working

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 on, and I know that that's something
3 that's just going to have to be an
4 ongoing conversation.

5 MS. RHYNHART: Thank you.

6 COUNCILWOMAN GYM: Sure.

7 COUNCILMAN HENON: I have a
8 list of technical questions here that I'm
9 going to defer. I'm going to put it into
10 writing. If you could respond back and
11 submit it to the Chair, I'd appreciate
12 it. And this way, the Chair will
13 disseminate it to the members of this
14 Committee.

15 MS. RHYNHART: Sure. Be happy
16 to.

17 COUNCILMAN HENON: For the sake
18 of time and expedience. I just want to
19 make sure that on the record I will be
20 submitting a list of questions to you and
21 your office. If you could respond back
22 to the call of the Chair -- or to the
23 Chair, that would be great.

24 Thank you.

25 MS. RHYNHART: Yes.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 COUNCILMAN GREENLEE:

3 Councilman, let me just ask a question.

4 Do you want it held in --

5 COUNCILMAN HENON: So what I'd
6 like to do is on Bill No. 160679 here
7 today is, I want to amend the bill with
8 the amendment that has been circulated to
9 all members in a timely fashion. I would
10 like to amend it in the public meeting,
11 go back into the public hearing and ask
12 that the bill be held at the call of the
13 Chair.

14 COUNCILMAN GREENLEE: So you
15 want it held in the Committee so there's
16 more testimony?

17 COUNCILMAN HENON: I would like
18 it to be held in the Committee so there
19 could be more testimony at another time.

20 COUNCILMAN GREENLEE: All
21 right. Okay. Fine.

22 Any other questions, comments
23 on these two bills?

24 (No response.)

25 COUNCILMAN GREENLEE: Seeing

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 none, anyone else here to testify on
3 these last two bills?

4 (No response.)

5 COUNCILMAN GREENLEE: Seeing
6 none, that concludes the hearing of the
7 Law and Government Committee. We'll
8 temporarily suspend the hearing to go
9 into a public meeting momentarily.

10 MS. RHYNHART: Thank you.

11 COUNCILMAN GREENLEE: This is
12 the public meeting of the Committee on
13 Law and Government, and the Chair
14 recognizes Councilman Green.

15 COUNCILMAN GREEN: Thank you,
16 Mr. Chair. We have a motion on Bill No.
17 160840. There's an amendment on that
18 bill. I'd like to move the amendment.

19 (Duly seconded.)

20 COUNCILMAN GREENLEE: It's been
21 moved and seconded.

22 All in favor?

23 (Aye.)

24 COUNCILMAN GREENLEE: Opposed?

25 (No response.)

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 COUNCILMAN GREENLEE: Hearing
3 none, the amendment is adopted.
4 Councilman Green.

5 COUNCILMAN GREEN: Thank you,
6 Mr. Chair. On Bill No. 160 -- Mr. Chair,
7 I would like to move out the amendment on
8 Bill No. 160840.

9 COUNCILMAN GREENLEE: Hold on.
10 Hold on.

11 COUNCILMAN GREEN: Thank you,
12 Mr. Chair. On Bill No. 160840, I'd like
13 to make a motion that the bill be voted
14 out as amended and ask for a suspension
15 of the rules.

16 (Duly seconded.)

17 COUNCILMAN GREENLEE: It's been
18 moved and seconded.

19 All in favor?

20 (Aye.)

21 COUNCILMAN GREENLEE: Opposed?

22 (No response.)

23 COUNCILMAN GREENLEE: Hearing
24 none, the motion carries.

25 Councilman Green.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 COUNCILMAN GREEN: Thank you,
3 Mr. Chair. On Bill No. 160679, there's a
4 an amendment on that bill.

5 (Duly seconded.)

6 COUNCILMAN GREENLEE: It's been
7 moved and seconded.

8 All in favor of the amendment?

9 (Aye.)

10 COUNCILMAN GREENLEE: The
11 amendment is adopted, and we will hold
12 that in meeting for a minute and then go
13 back into the Committee hearing, but now
14 let's move the other bills and then we'll
15 go back to the hearing and hold it.

16 COUNCILMAN GREEN: Thank you,
17 Mr. Chair. Bill No. 160971, I would like
18 to make a motion for that bill with
19 suspension of the rules.

20 (Duly seconded.)

21 COUNCILMAN GREENLEE: It's been
22 moved and seconded.

23 All in favor?

24 (Aye.)

25 COUNCILMAN GREENLEE: Opposed?

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 (No response.)

3 COUNCILMAN GREENLEE: Hearing
4 none, Bill No. 160971 is reported out of
5 this Committee favorably with a rules
6 suspension.

7 Councilman Green.

8 COUNCILMAN GREEN: Yes. Thank
9 you, Mr. Chair. On Bill No. 160972, I'd
10 like that bill to be -- I make a motion
11 on that bill with a rules suspension.

12 (Duly seconded.)

13 COUNCILMAN GREENLEE: It's been
14 moved and seconded.

15 All in favor?

16 (Aye.)

17 COUNCILMAN GREENLEE: Opposed?

18 (No response.)

19 COUNCILMAN GREENLEE: Hearing
20 none, Bill No. 160972 is reported out of
21 this Committee favorably with a rules
22 suspension.

23 COUNCILMAN GREEN: Thank you,
24 Mr. Chair. I'd like to offer an
25 amendment on Resolution 160981.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 (Duly seconded.)

3 COUNCILMAN GREENLEE: It's been
4 moved and seconded.

5 All in favor?

6 (Aye.)

7 COUNCILMAN GREENLEE: Opposed?

8 (No response.)

9 COUNCILMAN GREENLEE: Hearing
10 none, the amendment is adopted.

11 Councilman Green.

12 COUNCILMAN GREEN: Mr. Chair,
13 I'd like to make a motion for Resolution
14 No. 160981 be voted out as amended.

15 (Duly seconded.)

16 COUNCILMAN GREENLEE: It's been
17 moved and seconded.

18 All in favor?

19 (Aye.)

20 COUNCILMAN GREENLEE: Opposed?

21 (No response.)

22 COUNCILMAN GREENLEE: Hearing
23 none, Resolution 160981, as amended, is
24 reported out of this Committee with a
25 favorable recommendation.

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 Councilman Green.

3 COUNCILMAN GREEN: Bill No.

4 160678, I'd like to make a motion for

5 that bill to be voted out with a

6 suspension of the rules.

7 (Duly seconded.)

8 COUNCILMAN GREENLEE: It's been

9 moved and seconded.

10 All in favor?

11 (Aye.)

12 COUNCILMAN GREENLEE: Opposed?

13 (No response.)

14 COUNCILMAN GREENLEE: Hearing

15 none, Bill No. 160678 is reported out of

16 this Committee favorably with a rules

17 suspension.

18 We will now go back into the

19 hearing of the Committee on Law and

20 Government, and Bill No. 160679, as

21 amended, is being held to the call of the

22 Chair.

23 There being no other further

24 business, that concludes the business of

25 the Law and Government Committee today.

Committee on Law and Government
November 22, 2016

Page 168

1 11/22/16 - LAW & GOV. - BILL 160678, ETC.

2 Thank you all very much.

3 (Committee on Law and

4 Government concluded at 12:50 p.m.)

5 - - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

(The foregoing certification of this
transcript does not apply to any reproduction
of the same by any means, unless under the
direct control and/or supervision of the
certifying reporter.)

Committee on Law and Government
November 22, 2016

Page 1

A	125:24	104:6,8	25:22 39:11	91:6 118:6	50:18 54:4	75:15 77:12	44:9 46:23
a.m 1:7	133:22	106:6,7	111:5	126:8	54:6 57:13	169:21	66:12
AAUW 69:24	accurate	108:21	advantages	140:13	57:24 74:21	appointed	assigned
abilities 4:7	40:11	109:8,12	151:16	154:8	106:22	10:15	41:13
ability 53:23	106:12	120:2	adversely	allowed 110:9	133:18	appreciate	assistance
76:4 87:5	108:6,16	137:17	68:25	110:10	amounts 77:9	17:5 56:21	81:16 156:7
87:12 90:12	accurately	151:22	advertised	121:24	analysis	60:18 64:13	assisted
120:23	169:5	addressed	29:16	allows 62:10	32:18	101:12	156:11
able 30:13	accusation	28:3 64:4	advertising	66:3,4	and/or 97:21	124:24	associated
45:20 56:11	40:11	80:7	29:17	68:20 84:18	142:21	160:11	8:16 147:9
62:18 78:10	accusations	addresses	advocacy	85:15,25	169:23	approach	Association
84:9 87:2	40:8	18:22	11:2,11	120:9,20	announcem...	86:10	69:23
90:19 91:21	achievable	159:16	74:11	155:2,3,14	73:16	approached	assuming
92:11,22	159:24	addressing	advocating	155:23	annual 6:22	5:4 63:13	92:17
96:22 102:7	achieving	64:2 65:11	70:2	alluded	155:11	82:9 105:3	assumption
103:24	65:10	74:21	affect 14:21	115:22	answer 9:23	appropriate	24:24,25
121:18	ACIS 154:11	adequate	68:25 75:25	amend 6:10	14:12 15:12	81:9	assumptions
125:19	154:13,17	119:16	afford 19:18	145:12,25	41:21 88:7	appropriat...	59:5,11
128:4 152:7	156:6,19,19	adjudicatory	57:6	161:7,10	127:2	94:17	60:9 66:15
156:17	157:19,22	42:5	afraid 138:4	amended	138:18	approve	Atlanta
159:9,18	Act 22:22	administers	African 7:2	9:21 117:12	147:17	118:6	115:13
absence 60:2	66:4 70:4,6	6:4	12:9	163:14	154:7	approved	attained 2:6
absolutely	70:8	Administra...	aftermath	166:14,23	answers	10:13	attended
23:24 36:4	action 2:21	79:12 87:16	7:14	167:21	106:16	architect	109:10
47:9 54:18	actions 9:16	117:10,24	afternoon	amending	anti-discri...	131:16	attention 2:4
56:3,13	actor 125:18	118:9,11,21	117:23	2:14 81:13	23:2	architectural	36:13
90:22 91:13	actors 125:11	118:22	145:2,4	144:5,15	anticipate	128:7	106:23
101:5 105:7	125:13	124:12	age 55:12	amendment	87:8,14	areas 94:17	111:22
111:24	actual 43:11	126:8	71:10 72:12	80:25 81:23	antiquated	arrange	attorney
115:11	78:11	128:11	agencies 9:12	82:4 83:7	95:7 96:4	54:15	44:10 64:10
149:17	109:18	145:23	10:20 141:5	83:12 84:13	anybody	arrangeme...	audit 107:5
150:19	ad 16:10	146:10,16	agency 6:4	88:15,23	21:20 63:17	81:10	107:15
abuse 74:13	18:12	158:2	8:21 27:18	99:23	apple 25:2	articulated	audits 107:25
abuses 35:25	add 16:7 28:3	Administra...	28:8 40:14	100:20,23	applicant	114:11	108:2
accept 7:20	28:4 61:4	73:16	agenda 10:22	100:24	19:13 29:10	116:3	August 73:21
accepting	79:2 131:10	administrat...	aggressively	101:2,13,15	50:11,12	Asian 7:4	authorize
127:14	136:3	82:18 83:19	137:12	114:4 118:5	67:21 68:13	12:12	9:17
accessible	added 16:3	83:21	ago 13:16	119:6,11	applicant's	asked 21:4	authorizing
158:25	adding 2:17	138:11,12	24:12,17	161:8	8:3,19	75:16	81:8
accommoda...	60:6 68:5	admit 16:19	146:17	162:17,18	23:15	asking 8:3	Automated
6:8 65:19	158:18	adopt 69:6	152:13	163:3,7	applicants	13:18 15:21	154:12
accomplish	addition	adopted	agree 18:10	164:4,8,11	68:22	15:21 21:23	automatical...
95:5	64:22 130:7	64:20,21	50:9 54:21	165:25	application	24:6 28:11	84:22
account	additional	163:3	102:12	166:10	155:22,24	28:15 54:20	available
78:12 84:15	3:20 25:13	164:11	122:8 123:5	amendments	applications	60:14 61:24	25:25
87:7 111:4	47:14 89:7	166:10	124:22	4:13 69:6	105:20	62:2,9,14	149:20
accountabil...	106:14	adopting	151:4,11	80:7 147:21	147:8	68:12 76:3	average
101:25	Additionally	65:17	aisle 78:17	147:25	applied 41:9	35:15	70:19
102:5	152:5	adoption	align 84:19	amends 34:11	67:6,11	49:10 51:3	AVI 136:2
141:24	address 26:14	154:22	allegation	American 7:2	86:25 142:4	aspects 37:4	avoid 68:2
accountable	59:16 60:12	advanced	41:4,10	12:9 69:23	applies 8:9	assess 46:20	award 81:3
86:23 100:2	79:15	12:24	allow 35:25	amount 12:22	23:25	87:2	81:25 83:9
100:9	103:10	advantage	84:14 87:23	48:11,16	apply 23:22	assessment	84:3 96:6

Committee on Law and Government
November 22, 2016

Page 2

awarded 81:18 84:8	banning 65:25	109:21	105:16	152:5,11	44:1 45:1	137:1 138:1	body 101:24
awards 96:14	bar 68:14	110:20,23	106:9 109:2	bidder 84:5	46:1 47:1	139:1 140:1	138:11,11
150:4	123:4	111:9	109:6 110:9	85:2 89:16	48:1 49:1	141:1 142:1	book 58:3
aware 12:5	Barbara	132:12	110:15	95:11,14	50:1 51:1	142:16	books 34:4
88:16	63:12 69:22	137:16	112:22	98:11	52:1 53:1	143:1,14	142:7
108:19	74:24	battle 118:17	114:25	119:21	54:1 55:1	144:1,4,14	Boston 80:14
109:14	barred 9:13	Beatriz 80:2	115:16	120:13	56:1 57:1	145:1,12,19	box 34:3 36:2
111:13	barriers 23:8	beginning	116:10	125:9	57:15 58:1	145:21,25	break 9:9
awesome	barring 13:18	53:17 88:2	117:25	127:13	59:1 60:1	146:1 147:1	breakdown
120:18	base 3:25	98:19	120:9,11,20	131:3 146:4	61:1,11	148:1,13	126:18
Aye 162:23	28:6 31:10	beginnings	122:16,17	bidders 98:8	62:1,8 63:1	149:1,21	128:25
163:20	31:11,24	108:20	124:14	150:22	63:18 64:1	150:1 151:1	breaking
164:9,24	based 4:6	behalf 11:12	125:18,21	bidding	65:1,9,21	152:1 153:1	130:4
165:16	9:15 22:3	37:6 146:9	126:23	146:18,21	66:1 67:1	154:1 155:1	breast 58:24
166:6,19	23:22 30:23	believe 7:9	127:25	146:25	68:1,4,8,11	156:1 157:1	Bridget 124:4
167:11	31:2,19	21:17 23:9	130:9 131:2	149:13	68:19 69:1	158:1 159:1	briefing
	32:17 33:16	24:7 26:21	132:7,9	bids 127:14	69:6,7 70:1	160:1 161:1	159:21
B	33:17,20,24	28:3 53:22	136:22	152:9 159:6	71:1 72:1	161:6,7,12	briefly 76:13
baby 59:22	34:7 37:24	58:16 59:12	137:15	159:9	73:1 74:1,2	162:1,16,18	bring 27:18
back 23:15	41:11,25	59:18 64:14	138:2,6,20	big 34:23	75:1 76:1	163:1,6,8	31:22 48:12
23:16 31:9	42:16 44:9	80:16	138:21,23	72:15 119:9	77:1 78:1,6	163:12,13	54:18 55:20
34:8,24	44:19 46:13	believed 22:6	138:25	120:2 124:5	79:1,22,24	164:1,3,4	55:21 58:3
110:10	60:8 61:12	believes 23:4	139:6,12,15	153:12,18	80:1,6,22	164:17,18	131:19
113:13	62:13 64:17	32:10 68:4	140:18	159:22	81:1,12	165:1,4,9	132:2 134:3
120:25	66:6,12,14	Bellesorte	141:8,12,20	biggest 121:3	82:1,20	165:10,11	bringing
124:10	67:5,20	63:12 74:8	141:22,25	152:6	83:1 84:1	165:20	27:21 28:7
127:16	75:19 76:24	74:9,10	142:13,22	bill 2:8,11,13	85:1 86:1	166:1 167:1	54:13 95:23
138:22	76:25 81:3	benefit 90:4	better 12:13	3:1,5,8,23	87:1 88:1	167:3,5,15	128:13
142:2	81:25 84:11	benefits	13:19 15:12	4:1,10,15	89:1 90:1	167:20	131:9,22
154:17	96:6 105:15	18:14 39:19	70:18,19	4:16,18,21	91:1 92:1	168:1	134:5
160:10,21	122:3,4	50:25	84:19	5:1 6:1,10	93:1 94:1	bills 1:16 61:7	brings 84:17
161:11	125:8	151:23	125:19	6:16 7:1 8:1	95:1 96:1	63:23 64:23	130:15
164:13,15	baseline	best 16:22	126:16,17	9:1,8,20	97:1 98:1	80:19 83:11	broad 65:11
167:18	127:16	19:13 27:10	129:2	10:1,17	99:1 100:1	87:22	broaden
background	basic 15:15	46:20 50:19	beyond 113:8	11:1,6 12:1	101:1 102:1	143:22	159:12
49:2 157:16	16:8	53:16 54:5	142:7	13:1,13	103:1,2	144:2 145:7	broken 122:7
backlog	basically 4:16	77:10 81:4	bias 13:21	14:1,2 15:1	104:1 105:1	148:7	122:15
124:25	4:19 110:3	81:18 82:2	62:12,13	16:1,3,5	106:1 107:1	161:23	brought
bad 25:2	140:17	83:10 84:17	66:18	17:1 18:1	108:1 109:1	162:3	61:17
59:10	basing 28:15	84:21 85:6	biased 68:24	19:1 20:1	110:1 111:1	164:14	106:23
123:22,23	39:18	85:7,10,14	bid 81:15	21:1 22:1	112:1 113:1	bisexual 8:12	158:21
125:13,17	basis 43:3	85:15,24,25	84:10 85:21	23:1 24:1	114:1 115:1	bit 16:18	Brown 3:6,10
baking	45:24 46:24	86:10,15,20	89:21 90:8	25:1 26:1	116:1 117:1	22:15 31:17	6:15 11:6
115:23	155:9,15	86:24 89:8	90:14,24	27:1,3 28:1	118:1 119:1	37:3 109:8	11:10
balance 15:18	Bass 1:11	89:11 90:3	91:3,9	28:11 29:1	120:1 121:1	118:25	budget 48:9
balances	34:20	90:12,20	115:20	30:1 31:1	122:1 123:1	153:20	48:10 87:9
107:11	102:17,20	91:6,22	116:2	32:1,2 33:1	124:1 125:1	black 120:13	121:11
ballot 10:12	102:23,24	92:22 93:15	119:24	34:1,11	126:1 127:1	blame 39:5	123:24
81:7 83:12	104:15,19	95:3 96:5,8	130:21	35:1,21	128:1 129:1	blatant 46:10	132:5 158:2
ban 6:11	105:10,13	100:6	139:21,25	36:1 37:1	130:1 131:1	blindly 20:19	budgetary
23:10 34:3	106:19	101:11	140:2,7,7	38:1 39:1	132:1 133:1	Blondell 6:15	48:15
36:2 64:20	108:17	102:4	140:13	40:1 41:1	134:1 135:1	board 93:7	budgets 54:2
banker 49:25		103:11	145:14	42:1 43:1	136:1,9,10	BOBBY 1:12	build 126:9

Committee on Law and Government
November 22, 2016

Page 3

127:9	153:13	case 19:10	certified 94:7	changed 34:6	136:3	2:7	Comcast 30:5
128:12	buying 20:14	42:19 43:7	CERTIFY	40:4	city 1:2,6 6:4	class 62:11	come 18:14
131:8 132:3	141:2	43:8,8,9,9	169:3	changes	6:6,9 14:9	cleaners	19:24 20:9
132:21		43:10,10	certifying	83:13 89:24	21:18 24:8	71:18	26:8 29:20
133:11	C	case-by-case	169:24	95:5 137:8	24:22 27:15	clear 38:17	31:9 42:3
building	cabinet	43:3 45:24	Chair 1:10	141:23	27:21 44:2	46:10,18	52:13 54:10
71:17 86:23	157:12	46:24	40:20	148:2 152:9	48:5 50:24	47:5 101:12	57:23 58:12
128:2	cake 115:23	cases 25:15	135:16	changing	64:20,24,24	115:16	105:2
132:24	115:23	43:11,12,15	160:11,12	4:17	65:6 68:6	116:10,11	127:15
134:5	calculations	43:17,20	160:22,23	Chapter 2:17	80:24 81:4	121:14	134:21
built 154:23	12:19	casually	161:13	84:22 146:7	82:2,18	147:23	139:18
bump 20:13	call 4:24 63:9	111:16	162:13,16	147:4	83:9,23	153:14	comes 18:17
52:15	80:9 155:13	catalogue	163:6,6,12	154:22	84:3,8,14	clearer 4:14	22:13 31:5
Bureau 3:17	160:22	123:15	164:3,17	characteris...	84:18,19	4:21 88:19	31:15 50:7
7:16	161:12	catch 95:20	165:9,24	8:17	85:3,10,16	101:7	51:22 53:2
business 25:6	167:21	106:5	166:12	charged 8:21	85:23,25	clearly 115:5	57:2 61:18
25:7 30:2	called 4:21	categories	167:22	Charter 81:2	86:3,22,25	CLERK 2:13	115:23
50:2 58:3	64:6 82:23	17:19 46:14	Chairman	81:20,24	87:15 89:10	5:2 63:11	116:10
79:14 86:23	147:12	54:12	5:23 10:8	83:8 84:3	89:14 90:3	80:22 82:8	coming 55:16
91:11,20	calls 10:17	cause 42:7	14:18 17:4	84:13 95:16	92:3 96:7	144:4	61:23 78:6
93:11,13	candidate	cautionary	17:6 83:4	100:3	98:5 99:25	click 155:17	95:17 103:7
94:8 98:5	20:7 54:6	159:2	89:6 94:24	101:15	101:3	close 7:11	106:8
100:4 101:4	57:2	caveat 52:17	112:8	102:10	112:25	11:7 36:12	commend
113:20	candidates	53:9	challenge	116:6,9	113:21	closed 13:16	58:18
114:2 115:8	48:21,25	Census 6:19	27:9 30:4,5	137:4	131:23	closing 7:12	comment
116:14	CAO 117:2	center 119:13	challenged	checking	132:9 136:4	Code 2:15	124:14
118:19	145:10	centralized	25:15 66:22	106:15	136:18	4:17 81:14	comments
125:17	146:10,15	124:17	challenges	110:3	138:9,19	83:14	40:22 63:2
136:17,19	CAO's 83:25	cents 6:21 7:3	55:13 120:4	checks	140:3 141:5	112:14,25	78:23 79:18
138:16	88:6 129:14	7:3,4 12:7	147:9	107:10	141:6,11,16	113:11,22	161:22
142:18,21	133:17	12:10,11,13	challenging	cheerleader	144:11	115:15	Commerce
146:12,13	146:21	12:14 70:12	9:3 55:10	153:2	153:8	144:6,16	80:5,13,14
151:10	capacities	70:13,14	Chamber	Chicago	154:16	145:13	98:23 105:8
153:9	132:25	71:22	80:5,13,14	141:18	city's 83:21	146:2	112:18
167:24,24	capacity	CEO 80:5	Chambers	Chief 82:17	95:9 113:24	codified	113:2,3
businesses	128:13,14	certain 2:23	98:22	83:18	115:7	99:21	Commission
2:16 19:2,3	129:5,22	25:16,17	champion	child 11:21	116:12	coercive 69:3	5:13,17 6:2
19:3 21:8	130:20	33:10 48:9	118:22	children	144:8,18	colleague	6:3 10:4,11
21:10 80:17	131:8,20	48:14,16	chance 13:20	11:12,17,19	145:17	76:14 77:3	10:12,21
87:20 91:18	132:3	61:14 81:3	107:22	11:23,25	civic 10:22	colleagues	32:9 36:20
92:7,24,24	capital 124:6	81:4,20,25	150:5	14:6	civil 48:3	36:9 114:7	40:3
93:17,17	126:4	82:2 144:10	change 7:8	choice 57:16	claim 21:3	collecting	Commissio...
94:3 97:18	131:14	144:12,22	14:7 64:12	choose 68:23	claims 32:10	123:10	88:4 98:15
98:3,5	158:6,8	144:23	87:10 89:23	Cindy 1:11	clarification	college 12:23	99:10,16
102:5	159:23	153:8	91:3 102:10	137:16	118:4	30:8 75:14	109:7 124:5
103:18,25	capture 128:4	certainly 60:7	102:11	circulated	124:14	color 6:25	145:9
114:17	career 72:10	62:16	116:6,9	161:8	143:9	8:10 12:8	151:21
115:19	76:6 78:4	138:14	124:12	cities 11:15	clarifications	23:25 55:14	152:22
119:5	caregiving	158:21	129:9	14:22 38:9	68:5	65:5 75:4	154:9
136:15	65:14	CERTIFIC...	135:24	85:9 89:12	clarity 35:4	75:15 92:7	Commissio...
137:12,13	carried 117:9	169:2	136:3 138:3	91:5 92:21	67:16	92:24	42:5,11
142:17	carries	certification	138:4,5	141:11	115:18	Columbia	commissions
151:8	163:24	169:20	139:9	citizens 11:16	Clarke 1:10	64:25 68:8	36:11
	cart 108:23						

Committee on Law and Government
November 22, 2016

Page 4

commit 73:18 134:10	compensati... 68:19	108:22 125:5	153:15	114:12	copy 145:15	38:14,16,22	135:15
commitment 87:4	compete 150:8,25	126:11 159:22	constrained 49:13	contractors 96:10 107:4	core 38:2 79:10	39:2,16,22 40:7,16,18	137:7 139:22
commitments 73:20	competition 150:18	concerned 18:10 119:2	construction 110:16	121:8 122:9	correct 35:19 36:5 38:20	40:19 42:16 43:5,13	141:4,13,22 142:16
committed 87:16	competitively 151:2	concerns 32:25 79:13	132:11	123:24	38:21 39:20 40:12 47:16	44:8,19 45:4,15	143:2,5,6,8 143:13,16
128:10	complainant 139:25	80:6	139:18	130:23	contracts 49:6 51:15	47:7,13,18 48:7,18,23	143:20,25 145:3,5
131:18	complaint 41:23 44:21	conclude 32:24 55:10	140:22	consultant 81:3,15,17	56:14 88:16	49:8,14,20 50:14 51:2	147:19 148:3,5,6,9
committee 1:3 2:5 4:9	complex 32:13 39:25	concluded 168:4	129:7	81:25 83:9	88:21	51:14 52:19 52:24 53:11	148:11,18 149:4,8,15
4:12,23	complaint 41:12,15,17	concludes 87:25	134:10	84:4,20,21	112:24	55:9 56:4 56:15,17,18	149:18 150:2,16,21
5:24 10:9	44:4,13,15	147:16	consultants 131:23,24	84:24 85:16	141:8	56:19,20,21 58:18 60:23	151:14 152:19
12:5,19	45:3,8,13	162:6	contact 111:15	90:14 96:15	142:25	60:24,25 61:3,9,17	153:19 154:6
13:6 34:21	45:19,21	167:24	contacts 99:3	99:23 101:3	169:8	62:23 63:4 63:7,15,20	155:25 156:16
83:5 86:17	46:2	conclusion 42:3	contained 169:5	109:13	cost 84:7 85:23 91:2	65:13 69:10 69:17 74:6	158:5,9,12 158:17
88:13 145:6	completed 87:8	conditions 2:24 81:5	continually 91:11	117:3	91:8 154:2	78:19,25 79:20 82:6	160:7,17 161:2,3,5
158:11	complex 85:16	81:21 82:3	continue 36:2 66:20 67:12	121:9	costs 72:8 87:15	82:11,22,25 83:14,15,15	161:14,17 161:20,25
160:14	139:17	144:13,24	70:7 99:9	140:21	Council 1:2 1:10 2:6	83:16,17 88:9,12,18	162:5,11,14 162:15,20
161:15,18	140:22	conducted 32:19	101:18	144:6,16	24:22 65:16 99:9 100:14	88:24 89:2 89:3,3,5	162:24 163:2,4,5,9
162:7,12	compliance 109:12	confines 48:15	111:22	146:3,7,9	101:17	91:23 93:23 94:18,20,21	163:11,17 163:21,23
164:13	complicated 46:19	conforming 83:13	continues 75:24,25	147:4,12	118:6 119:7	94:22,23 95:18 96:2	164:2,6,10 164:16,21
165:5,21	113:24	congressional 70:17,20	86:14	148:22	121:4,13	97:11 99:8 99:14,17	164:25 165:3,7,8
166:24	common 71:16 73:8	Congressw... 16:17	continuing 13:3 123:23	153:22	126:15	100:12,22 101:14	165:13,17 165:19,23
167:16,19	117:15	consequences 116:11	continuous 99:13	154:5,17	138:9	102:12,15 102:16,18	166:3,7,9 166:11,12
167:25	communicate 152:8	consider 142:3	contract 84:8 84:17 86:19	contrast 73:12	143:11	105:5 112:3 112:5,7,13	166:16,20 166:22
168:3	communicati... 152:7	consideration 96:18	89:22 90:8	contribute 64:15	Council's 87:23	113:6,9,14 113:18	167:2,3,8 167:12,14
common 71:16 73:8	component 119:7	consistency 86:18	90:15 91:12	contributed 65:16	154:22	115:12,21 116:17,20	Councilpeo... 99:2
communicate 152:8	127:10	consistent 71:9 92:12	92:11 96:6	contribution 154:23	Councilman 1:10,11,12	116:22,24 117:11,13	Councilwo... 1:11,12,14
communicati... 152:7	components 128:18	consistently 90:18 91:25	103:16	contributor 65:22	1:13,13 2:2 2:8,25 5:6,9	118:6 121:4 135:12,14	2:7 3:6,9 6:15 11:5
community 8:12 24:2,3	139:11	constantly 108:11,12	121:18,19	control 169:23	5:18 6:14 9:25 11:5		11:10 17:2
79:14 97:19	152:6		127:10,22	Controller's 107:23	14:14,16,17 15:4,8,11		
99:4 140:18	composition 86:17		130:19	controversy 16:3	16:10,14,23 16:24,25		
companies 59:21 73:18	compounded 75:14		132:11	conversation 26:15 53:18	17:2,3,20 18:9 21:15		
73:20 140:6	comprises 119:6		139:20	97:17 135:4	23:10,19 24:5,18		
140:11	concept 89:15		145:11,16	135:22	25:11 28:2 28:17 29:7		
company 18:13 29:25	concern 18:23 21:6		145:19	convictions 47:11	29:15 31:14 32:7,23		
60:2,6			154:12,16	convinced 26:16	33:25 34:14 34:17,18		
76:11 77:2			contracting 85:3 90:2	copied 109:10	37:18 38:6		
97:3			90:17 92:8				
comparable 16:13			144:8,12,18				
compare 14:23			145:23				
compared 11:23 71:5			contractor 106:7				

Committee on Law and Government
November 22, 2016

Page 5

34:20,21,25 35:2,11,20 36:6,23 37:19 38:4 83:16 102:17,18 102:20,23 102:24 104:15,19 105:10,13 106:19 107:2 108:17 109:21 110:20,23 111:9 112:4 117:20,21 118:15 120:24 122:19,25 123:9 124:20 125:4 126:7 126:22 127:6,21 129:20 130:14 131:25 132:12 133:10,24 134:12 135:10,13 135:17 136:8 137:16 142:9 158:13,14 160:6 country 35:10 38:10 70:15 71:7 85:8 89:13 91:5 139:4 141:7 couple 37:4 38:15 102:25 128:23 course 12:16 35:13 72:10 court 67:17 courts 66:7 66:17	cover 83:11 crafting 97:12 create 33:14 132:22 created 10:12 83:19 112:10,12 112:17 creates 27:23 146:24 152:17 creating 146:11 147:10 156:11,12 157:17 creation 116:2 credit 23:11 23:15 94:8 136:8 crisis 43:25 criteria 84:10 84:15 85:17 86:4 87:7 91:15 93:3 109:3 116:12 150:14 critic 89:14 critical 107:20 critique 137:2 cross 107:10 crossing 4:18 curious 37:2 current 22:10 55:11 68:10 68:14 74:18 77:6 85:21 120:12 154:18 currently 24:11 35:7 48:11 84:2 84:23 119:20,24 147:2,3,6 148:21 cut 72:20 cutting 95:23	95:24 cycle 9:9 74:12 D D 1:14 daily 155:15 damages 29:25 DARRELL 1:10 data 67:2 103:15 104:2 119:17,22 dataset 122:3 datasets 123:10 date 81:5 dated 137:4 daunting 151:11 David 1:13 88:6 112:5 116:25 145:10 149:3 day 18:16,18 20:20 24:6 47:5 88:4 96:3 98:14 98:15 99:10 99:16 104:16 105:22 109:7 138:17 145:9 151:21 152:22 153:17 154:9 days 65:20 de-bundle 128:8 de-bundling 132:10 deal 61:7 153:12 dealing 79:7 114:24,25 deals 113:22 death 137:2 decades 66:2	157:15 decent 9:2 decision 93:11 decision-ma... 110:8 120:22 121:23 decisions 6:13 67:20 91:20 105:15 122:2 125:6 125:8 144:12 declined 21:12 decrease 87:10 decreasing 21:14 deemed 84:6 defer 160:9 define 121:14 defined 121:6 definitely 89:9 101:23 115:10 123:6 126:20 133:8 134:9 definition 121:16 definitions 2:20 degree 12:23 30:8 degrees 12:24 delivery 6:9 85:19 86:7 demonstrate 44:22 45:6 123:16 demonstrates 42:18 denied 69:2 department 86:13 119:4 123:13,13 123:14,14 124:16 130:12 142:3 146:6 159:24	departments 85:15 121:9 121:24 122:2 124:17,19 133:21 depend 72:5 Deputy 105:8 116:25 124:6 145:10 DEREK 1:11 described 66:6 90:23 deserve 65:8 deserves 138:19 design 128:15 130:21 design-build 86:12 126:24 128:6 132:8 132:10 137:21,22 designed 155:7 designs 128:7 desires 25:17 despite 11:17 65:24 details 155:18 determinati... 41:25 determine 42:6 develop 86:15 94:12 110:12 111:7 developers 71:14 developing 92:19 110:13 dialogue 110:3 dictate 138:15,16 Diego 85:12 differ 154:4 difference 12:21 26:2	109:17 different 15:9 16:19 18:3 27:5 36:11 37:4 41:7 45:11 53:13 59:24,24 60:5 77:4,9 89:25 93:4 93:5 98:22 127:11 128:18 129:17 132:19 140:12 157:11 differently 23:6 difficult 43:7 159:5 digging 108:4 direct 169:23 directed 25:14 direction 129:3 136:21,24 directly 15:21 60:12 68:14 Director 5:16 5:25 10:10 10:15 36:19 37:21 44:11 47:15 105:8 112:19 disabilities 46:10 55:15 disability 116:14 disability-o... 114:17 disabled 8:10 24:2 93:12 94:7 disabled-ow... 114:16 disadvanta... 100:4 101:4 113:25 115:7 Disadvanta... 113:20 disagree 17:7	17:8 60:16 disagreement 114:10 disclose 8:8 disclosed 150:5 disclosure 9:17 149:19 158:23 disclosures 154:24 159:14 discourage 27:15 discouraged 73:10 discretion 118:9 discriminate 17:13,18,25 21:20 23:7 discriminat... 26:19 41:2 44:23 45:7 45:14 62:11 discriminat... 54:17 55:7 discriminat... 6:7 9:10 33:2,16 41:4,10 42:9,19 43:20 44:15 46:9 55:11 65:25 66:21 74:16 discriminat... 6:12 59:6 59:14 66:12 discussing 73:10 discussion 19:12,23 20:21 26:6 57:7,14 61:20 113:15 114:7,8 123:12 130:18 discussions 19:7 38:18 110:11	157:25 disparities 7:5 67:24 71:3 disparity 18:21 23:21 26:18 27:14 117:5 disproporti... 8:13 disqualifica... 104:20 disqualified 104:13 122:20 disseminate 160:13 dissimilar 34:2 distribute 114:6 district 64:25 68:7 126:3 138:18 districts 70:18,21 diverse 65:8 diversity 87:4 93:19 94:17 101:10 115:25 118:24 131:10 142:6 document 32:16 33:8 documentat... 98:25 documents 32:16 41:19 41:22 46:21 145:17 doing 4:14 22:9 23:18 33:8,10 38:13 48:24 54:15 67:25 70:18 98:6 100:13 111:12 119:16,24 122:23 123:13,18
--	---	--	---	---	---	---	--

Committee on Law and Government
November 22, 2016

Page 6

123:21	earnings 6:23	125:22	49:24 51:18	ends 26:12	entry 66:23	92:10	65:3 70:13
125:12	73:2 75:8	egregious 7:6	52:22 54:9	72:6 75:12	EOP 99:20	evaluation	70:22
131:5	earns 6:22	eight 157:24	55:19 56:10	energy	99:20	90:20	expand 30:12
158:22	easily 159:18	either 49:25	56:22,24	127:20	111:14	134:19	expect 13:11
dollar 6:21	easy 43:7	73:9 120:14	66:23 67:8	enforce 31:15	142:6	events 99:7	29:3 87:9
7:5 12:7,10	economic	136:23	68:12	enforceabili...	EOPs 94:6	everybody	87:13
12:12,13,15	10:23 11:2	150:6 159:7	employer/e...	113:23	102:6	2:3 27:6,9	156:18
71:22 86:2	11:18 39:5	159:15	36:15	115:17	109:25	34:16 108:7	expedience
dollars 56:7	39:10 43:25	elderly 13:4	employers	enforcement	equal 11:2	108:8	160:18
78:2 85:24	85:4 86:8	election 81:6	2:18 3:25	92:15 120:4	13:5,8	109:14	expenditures
door 125:8	87:3 93:9	81:11	9:11,12	121:15,20	22:21 26:18	131:13	159:23
126:10,13	93:21 96:23	electors 80:24	10:19 13:18	125:10	64:12 65:10	everybody's	expense 54:8
double 57:25	97:6 105:9	82:5	21:24 23:5	enforces 6:5	65:25 66:4	2:4 88:10	expenses 54:7
double-check	economics	electronic	24:9,25	enforcing	66:16 67:10	evidence	57:11
116:21	72:2	147:8 152:7	25:3,4,6,9	8:22	70:4 72:13	169:4	experience
drafted 41:15	eContract	155:15	25:10,14,19	engage 92:12	73:17,19	exact 59:18	3:12 8:19
114:5	147:5	element	26:24 28:12	137:11,12	74:3 75:18	exactly 21:17	20:6 22:14
dramatic	148:14,21	23:12	29:16 30:21	engages	equality	35:12 52:20	26:13,23
72:14	149:2	Eligibility	30:24,25	91:25	13:14	52:20,21	30:24 31:2
driven 119:22	154:10,19	81:14	33:4,4 34:6	134:18	equally 22:25	79:9 94:15	40:23 42:17
driving	154:24	eliminate	39:4 49:22	engaging	33:19 61:15	103:20	43:6 44:9
133:19	155:7,12,17	26:17 73:25	50:21 54:24	92:2	67:4,7	115:17	44:20 48:14
dropped 7:14	155:19,23	151:17	55:3,4 59:3	enhance	equates	126:21	49:3 76:24
Duly 162:19	156:2,6	eliminates	64:25 66:3	10:24	150:17	example	78:11 89:20
163:16	158:16	35:24	66:5,19	enhancing	equipment	36:17 37:8	91:24 96:25
164:5,20	159:4	eliminating	67:25 68:9	86:24	20:14	39:12 48:6	97:4,7
165:12	eContracts	64:16	68:11,15	enormously	equitable	78:16 94:9	101:22
166:2,15	148:19	elongate 61:5	73:12,13	158:19	36:16	96:14,21	experienced
167:7	149:5	employed	76:3,20	ensure 67:20	equity 2:17	107:5	79:25
duties 2:20	edge 95:23,24	49:25 71:19	employing	74:2 121:25	2:23 3:9	140:15,20	experts 7:9
duty 118:11	education	employee 4:7	19:5 47:25	127:11,13	12:20 13:6	examples	expired
dynamic	12:21 71:10	9:15 15:22	employment	ensuring	13:8,17	14:20	115:14
53:13	107:18	20:3 25:16	6:7 9:2,5,12	74:22	14:2,4 70:2	excited 125:5	117:8
	educational	37:7 38:20	10:19 17:19	enter 75:18	73:2 79:16	excludes 9:16	explain
E	10:23	39:20 51:7	20:8 21:11	enterprise	especially	Excuse 143:8	138:25
e-mail 155:15	EEOC 66:17	64:17	27:24 30:7	100:4 115:8	11:9 19:2	executive	148:15
e-notification	effect 36:14	employee's	35:15 43:11	142:22	41:10 42:20	5:16,25	extensive
155:13	91:14	66:24 67:15	48:20 68:18	enterprises	55:19 75:6	10:10,15	133:17
e-procurem...	effective	employees	75:20	101:4	78:5	44:10 47:15	extent 27:13
98:17	85:18	8:25 64:22	empowering	113:20	essential	64:21 68:7	27:14
146:23	132:23	68:20 71:6	69:25	142:19	73:24	112:10,12	external
148:17,24	134:22	73:9,19	enable 149:12	entire 3:24	establish	112:14,17	130:15
149:6,9,11	effectively	114:20	enables 55:24	entities 90:9	109:2 115:4	115:14	133:5 134:6
152:6 153:5	103:24	employer	149:13,14	entitled 2:15	established	117:7	134:19
154:5	106:5,7	8:18 15:21	153:4	81:14	98:13	executives	135:7
earn 13:11	effectiveness	15:24 19:4	enacted 13:17	113:19	estimated	114:20	externally
14:3,4	83:23	20:8 21:18	14:2 95:16	144:6,16	12:17	exempt 48:4	131:8,12
74:20 76:5	efficiency	26:23 27:17	encourage	entity 45:25	ethnic 70:25	49:15	eyes 133:5
76:10 77:3	83:22 87:18	30:11 31:5	21:5 96:9	89:21 90:14	71:4	exempted	134:6
77:17	efficient	32:17 38:19	encouraged	90:17 91:25	evaluate	48:8	
earned 12:12	132:23	38:23 39:6	99:2	92:10	84:11 86:3	existence	F
earning 12:13	effort 19:7	41:5,6	encouraging	entrepreneur	87:5 103:24	34:13 65:24	face 106:13
75:10 77:8	efforts 124:3	46:23 47:16	13:23	50:2	evaluating	exists 44:6	118:21
77:25							facie 42:19

Committee on Law and Government
November 22, 2016

Page 7

facing 21:3	farther 15:24	final 85:23	FMLA 59:19	76:18 80:8	8:7,24 11:8	41:9 42:9	78:9 89:19
fact 16:16	fashion 108:3	143:10	focus 83:20	98:6 114:4	12:6,18	62:18 64:6	91:19 95:2
22:3 31:19	161:9	144:2	98:23	120:16	13:15 26:4	69:14 74:2	98:12 99:9
32:5 35:13	fast 19:15	finally 61:16	146:14	four-month	64:16 65:3	77:11 94:11	99:12
58:23 66:9	faster 126:2	Finance	158:4	59:19	67:2 69:8	96:14 98:14	103:23
77:25 78:5	131:6	107:23	focusing 98:2	fraud 92:2	70:12,21	99:4 110:10	104:8
85:11	favor 6:18	112:25	124:7	frauding 92:3	71:9,24	118:20	105:15,16
115:22	162:22	financial	folks 60:16	92:6	72:8 73:25	119:12	108:21,24
121:6,23	163:19	71:13 81:16	105:22	frequently	75:2,6,24	120:25	108:25
122:2,20	164:8,23	90:4	134:2,4	158:21	garnered	121:12	109:5,15,23
124:25	165:15	find 15:18	follow 74:23	fringe 54:9	73:20	127:16,25	109:24,25
136:7	166:5,18	16:5 28:22	91:21	Fromson	gay 8:12	130:22	110:4,5,14
141:10	167:10	30:10 40:9	follow-up	63:11 64:5	gender 7:9	132:5	111:4,12,22
factor 13:3	favorable	43:14 47:4	92:16	64:8,9	11:8 23:22	138:22	113:7
49:16,17	166:25	finds 39:6	153:25	front 42:10	26:20 33:16	140:16	116:21
59:23 66:7	favorably	fine 33:15,22	followed	87:6 124:13	33:24 41:11	148:12	118:17
66:8 67:22	165:5,21	55:8 149:4	89:11	127:20	42:20 60:6	154:17	119:18
factors 35:12	167:16	150:11	following	fruit 121:17	60:10 64:16	155:18	120:2
37:2 43:2,4	fear 127:7	161:21	13:24 72:18	frustrating	66:10	159:23	121:23,25
84:12 91:7	128:3 129:4	fire 58:23	food 3:19	135:18	gender-based	161:11	122:5
105:17	feature 153:2	firing 29:23	footing 75:18	frustration	67:23	162:8	123:18
120:21	federal 9:19	firm 91:10	footsteps	100:14	genders	164:12,15	124:9,21
factory 30:14	13:16 22:21	110:7	13:25	101:20,24	59:24	167:18	127:7 128:4
fair 6:5,11	23:2 25:12	firms 90:7	for-profit	102:9	General's	goal 18:10,11	128:9,14,21
8:22 13:5	70:9 73:4	96:19	53:24 55:19	frustrations	92:14	23:21 28:5	129:2,7,8
17:17 23:12	138:22	first 2:11 3:3	forces 54:21	121:3	generally	31:9,10	129:10
25:12 34:11	139:2 141:6	4:24 5:20	66:14	135:23	42:18 43:6	50:17 83:25	130:19
36:2 40:5	feed 7:21	17:4 39:9	forego 20:14	fulfilled	47:18,23	88:20	131:11
54:22 55:6	feel 40:25	50:4 64:6,7	57:22	103:17	49:9 50:3	146:11	132:8,9,16
70:5 150:8	45:21	68:8 82:23	foregoing	full 26:11	51:5,7	157:6,8,18	132:19,21
fairness 3:9	131:18	87:23 88:11	169:7,20	34:10 40:14	getting 34:8	159:15	133:4,12,14
70:8 71:25	159:11	89:3 105:11	form 47:5	71:20	125:25	goals 84:19	134:14
74:3	feelings 36:15	129:13	81:7 118:11	full-time	131:3	86:8 88:20	147:11
faith 132:21	female	152:12	118:13	71:11	132:15	101:9	152:25
fall 72:23	116:13	158:16	former 68:15	fully 21:16	157:17	109:18	158:5,10,15
128:5	fewer 43:10	Fiscal 73:5	91:24	151:11	girls 10:24	113:19,24	160:3,9,9
falling 72:21	43:14,16,19	fit 49:5 50:7	forms 34:4	169:5	give 15:10	115:5 117:6	good 2:2 5:6
familiar	field 97:10	50:13 52:2	forth 34:24	function	17:9 29:5	118:2	5:8,12,22
58:15	figure 20:17	52:6	123:25	107:21	30:3,3	goes 15:13,23	10:3,7
families 7:22	53:19 57:19	fits 51:25	fortunately	functions	39:13 41:22	16:5 80:13	29:22 54:22
9:7 11:8	58:6 96:21	five 61:7	114:9	83:22	97:2 148:6	90:9 102:11	60:20 64:8
12:3 14:4,5	104:10,24	63:22 66:2	forward 4:10	funds 114:14	given 73:14	going 3:13,14	70:16 82:16
72:2,4,8	108:13	145:21	38:5 95:24	further 133:9	73:22	14:21 19:10	83:3 88:25
75:7,9	117:14,16	149:24	101:9	167:23	153:17	19:11,23	97:25 99:24
family 3:19	file 32:12	152:15	105:14	future 68:25	gives 51:23	20:15,16	102:20,22
7:14 12:2	41:12 44:14	fix 44:3	106:8	92:11	52:9 91:16	21:10 26:9	108:18
FAMIS	45:2,7,13	111:12	111:10	156:25	150:5	28:9,10	117:23
156:21	45:18,21	123:17	115:2		giving 6:17	30:19,23	125:3
far 15:24,24	46:2,3,4	150:13	128:16	G	22:4 46:16	31:15,21	128:15
16:9 43:10	filed 32:4	fixing 81:5	137:3,15	gain 76:4	go 5:19,21	35:23 38:5	134:25,25
43:14,16,19	43:17,20	122:15	138:6	gains 86:21	10:6 15:25	39:8 47:4	135:2
80:13 116:6	filing 44:4,12	flex 58:13	159:20	gamble 67:17	20:25 27:18	51:21 54:5	143:14
fared 12:12	filling 132:14	floor 22:17	found 73:7	game 131:12	33:6 36:14	57:6 59:8	144:25
				gap 7:10,12			

Committee on Law and Government
November 22, 2016

Page 8

145:3	105:1 106:1	50:24 77:7	56:17 60:23	16:22 61:24	harder 47:10	158:20	53:6 54:3
148:11	107:1 108:1	78:16 96:5	61:3 62:23	108:22	harmed 8:8	helping 83:24	114:18
Goode 121:4	109:1 110:1	115:19	63:4,7,15	gun 46:15	harmless	86:22	123:23
GOV 3:1 4:1	111:1 112:1	148:12	63:20 69:10	Gym 1:12 2:7	27:3	helps 136:11	hired 27:22
5:1 6:1 7:1	113:1 114:1	152:20,25	69:17 74:6	17:2 34:25	Harper 105:7	Henon 1:12	33:18,19
8:1 9:1 10:1	115:1 116:1	160:23	78:19,25	35:2,11,20	105:8	83:15 88:12	41:6,6
11:1 12:1	117:1 118:1	greater 86:21	79:20 82:6	36:6,23	106:16,25	89:4 94:22	42:23 56:12
13:1 14:1	119:1 120:1	126:4	82:11,22,25	38:4 158:13	112:2	94:23 95:18	hiring 6:13
15:1 16:1	121:1 122:1	Green 1:11	83:4 88:9	158:14	hate 60:15	96:2 97:11	8:4 18:13
17:1 18:1	123:1 124:1	2:8 14:16	88:18,24	160:6	head 88:4	99:8,14,17	18:24 23:18
19:1 20:1	125:1 126:1	14:17 15:4	89:6 94:20		145:10	100:12,22	24:19 27:15
21:1 22:1	127:1 128:1	15:8 16:10	102:15	H	headed 12:3	101:14	27:20 28:7
23:1 24:1	129:1 130:1	16:24 23:10	105:5 112:3	half 11:24	heads 7:22	102:12	28:14 32:17
25:1 26:1	131:1 132:1	38:15 40:18	117:18	72:20,23	Health 119:4	118:6	33:7,12
27:1 28:1	133:1 134:1	40:19 42:16	135:12	118:16	hear 3:14	135:14,15	36:16 42:21
29:1 30:1	135:1 136:1	43:5,13	143:5,16,20	Hall 1:6	15:16 36:24	137:7	42:22 43:11
31:1 32:1	137:1 138:1	44:8,19	143:25	hand 141:14	69:12,19	139:22	43:14,16
33:1 34:1	139:1 140:1	45:4,15	145:3,6	handle	95:19 96:16	141:4,13,22	44:24 48:19
35:1 36:1	141:1 142:1	47:7,13,18	147:19	126:17	129:23,24	142:16	54:16,22
37:1 38:1	143:1 144:1	48:7,18,23	148:3	137:25	129:24,25	143:2,8,13	55:8 57:20
39:1 40:1	145:1 146:1	49:8,14,20	158:12	138:2 154:9	heard 34:7	148:5,6,9	77:11
41:1 42:1	147:1 148:1	50:14 51:2	161:2,14,20	handled	64:3 65:2	148:11,18	103:18
43:1 44:1	149:1 150:1	51:14 52:19	161:25	146:5,8	70:23 72:11	149:4,8,15	134:10
45:1 46:1	151:1 152:1	52:24 53:11	162:5,11,20	hanging	74:16 151:8	149:18	historical
47:1 48:1	153:1 154:1	55:9 56:4	162:24	121:17	153:14	150:2,16,21	66:13
49:1 50:1	155:1 156:1	56:15 58:18	163:2,9,17	happen 39:14	hearing 4:9	151:14	historically
51:1 52:1	157:1 158:1	83:15 89:2	163:21,23	56:23 89:21	42:10 45:11	152:19	157:10
53:1 54:1	159:1 160:1	89:3,5	164:6,10,21	99:23	69:19	153:19	history 2:19
55:1 56:1	161:1 162:1	91:23 93:23	164:25	happened	108:11	155:25	6:12 8:4,9
57:1 58:1	163:1 164:1	94:18	165:3,13,17	76:21	111:10	156:16	8:20 9:11
59:1 60:1	165:1 166:1	115:21	165:19	happening	161:11	158:5,9,17	9:16,18
61:1 62:1	167:1 168:1	116:22	166:3,7,9	104:21	162:6,8	160:7,17	10:19 13:19
63:1 64:1	govern 94:12	162:14,15	166:16,20	109:19	163:2,23	161:5,17	18:6,16
65:1 66:1	governing	163:4,5,11	166:22	110:21,24	164:13,15	Hey 20:23	21:24,25
67:1 68:1	86:15	163:25	167:8,12,14	111:19,20	165:3,19	91:18	22:8,10
69:1 70:1	government	164:2,16	Greenwald	124:23	166:9,22	high 12:20	23:17 28:16
71:1 72:1	1:3 2:5 5:24	165:7,8,23	124:4	128:25	167:14,19	28:24 72:22	31:18 32:4
73:1 74:1	10:9 73:4	166:11,12	ground	133:25	hearings	123:4	32:6,19
75:1 76:1	83:23	167:2,3	132:13	happens	137:18	higher 56:11	33:21 35:14
77:1 78:1	138:23	Green's	group 71:5,6	66:23 67:10	heavily	67:5 77:8	35:17 37:6
79:1 80:1	139:3 162:7	56:21	94:14 97:13	104:16	137:14	highest 28:19	39:23 54:20
81:1 82:1	162:13	Greenlee 1:10	104:9	happy 9:23	held 76:8	54:8	55:13 60:14
83:1 84:1	167:20,25	2:2,9,25 5:6	118:13	14:11 29:22	161:4,12,15	Hill 5:3,12,13	61:14 62:10
85:1 86:1	168:4	5:9,18,23	groups 71:10	88:7 114:24	161:18	10:6,7,10	62:13,14,15
87:1 88:1	governs	6:14 9:25	98:24	116:15,19	167:21	37:14,17	62:17 65:23
89:1 90:1	22:22	10:8 11:5	grow 62:12	118:12	HELEN 1:12	60:25 62:6	68:10,13,17
91:1 92:1	granddaug...	14:14,18	75:22,24	119:10	help 9:8 11:7	63:6	73:13 74:22
93:1 94:1	13:10 62:20	15:11 16:14	99:15	147:17	67:19,25	hire 17:21	75:17 76:3
95:1 96:1	Granted 56:6	16:25 34:17	grown 157:14	160:15	78:3 119:18	18:17,18	76:15,25
97:1 98:1	gray 47:8	37:18 38:6	growth 62:9	harass 58:24	128:12	19:6 21:2,5	78:9
99:1 100:1	120:19	38:22 39:2	62:17 74:18	hard 19:25	134:6	24:21 25:21	hit 79:10
101:1 102:1	great 15:18	39:16,22	77:21	45:9 128:15	helpful	25:23 46:17	99:11
103:1 104:1	21:18 29:19	40:7,16	guess 15:9,11	129:15	108:11,18	47:20,21	hold 86:22
				153:15			

Committee on Law and Government
November 22, 2016

Page 9

100:8 163:9	hurts 75:6	106:18	9:9 12:25	Inspector	23:12	job 4:6 8:17	150:13
163:10		include 86:6	74:22	92:14	114:22	9:3 17:22	157:8
164:11,15	I	105:16	Inequitable	institute	116:8 136:9	17:25 19:13	keeping
holding	idea 50:3	145:15	75:13	72:17 73:7	142:10	19:15 22:3	150:10
125:23	51:12 59:21	included	inequities 4:3	110:5 146:2	introducing	22:4,5,6,13	keeps 62:16
130:6	88:21	85:14	inequity 3:11	instituting	6:16 11:6	22:17 26:11	67:8
133:21	105:14	includes	3:24 35:6	124:12	investigate	28:6,9,14	Kennedy
holds 71:14	ideal 159:15	147:7	35:14,18,24	intake 41:16	32:9 41:3	29:9,11,12	70:3
99:25	identify 5:10	including	35:25	integrate	investigated	29:17 30:14	Kenney
holistic	82:14 105:6	2:19 17:19	inform	137:9	46:3	31:6,12,13	146:16
120:22	127:24	37:5 86:11	119:18	156:17,25	investigation	32:11 43:22	KENYATTA
Holmes 16:17	imbalance	86:16 101:2	123:10	intend 99:15	32:14 40:15	43:24 46:5	1:13
home 58:12	23:6	105:17	129:2,10	intent 101:5	investigator	46:12,13,17	kept 155:5
81:2,19,24	immigrants	144:9,19	131:11,20	145:18	41:14,14,17	47:4,6	key 146:14
83:8	8:11	inclusion	132:7,20	149:21	investigatory	49:19 50:13	151:6
homegrown	impact 72:14	105:18	133:12	intentions	42:4	50:16,25	kind 20:5
154:13	91:20 119:4	118:24	134:6	134:25	involve	55:3,4 57:3	24:14 26:15
homelessness	imperfect	inclusive	information	135:2	118:12	62:19 66:25	27:23 37:10
74:13	103:22	133:14	4:11 42:17	interconnec...	124:16	68:12 69:2	43:22 53:18
homophobia	implemented	income 7:14	44:14,22	65:12	involved	75:17 76:16	58:4,14,14
46:8	91:22 139:2	12:2 13:2	45:5,18,20	interested	136:11	77:12,23,24	88:19 99:25
hope 4:8	148:25	13:12,23	46:22 48:20	36:24 44:12	involving	78:10 96:20	110:24
137:17	implementi...	increase 56:5	55:22 56:8	55:25	92:7	105:23,24	114:18
hopeful 38:10	100:17	56:6 62:19	62:3 68:21	118:23	Iola 103:20	110:16	131:4
hopefully	146:23	67:10 72:25	68:24 73:11	152:10,16	104:6,25	111:17,18	137:23
92:8 123:20	important	87:13,17,18	73:22 92:9	interesting	105:7 109:8	152:21	147:22
137:20	6:16 14:3	92:23 93:16	92:13 93:25	37:9 76:19	Iola's 109:13	jobs 7:18,20	156:19
hoping 95:5	23:7 30:12	145:22	103:14	intergovern...	issue 8:9 38:2	21:12,13,14	158:22
103:9	58:17 62:8	increases	104:11	97:14	42:15 58:17	30:10 47:2	159:8,20
horse 108:23	65:17 78:8	72:25 136:5	106:2 108:7	internal	74:17 79:11	47:10 71:15	kinds 159:16
hours 26:9	85:20 91:18	increasing	108:14,15	107:10	79:16 103:4	71:19 75:16	knew 51:20
House's	118:16	21:13 93:19	144:21	129:21	107:3,13	76:17 91:9	78:6 96:4
73:17	119:22	101:9	145:20	132:25	109:13	93:20	know 5:9 6:3
households	137:11	increasingly	149:2	156:14	119:12	jobseeker 8:6	16:4,19
11:25	156:20	72:5	154:12,16	157:25	120:3	18:8	18:4,21
housekeepers	importantly	increment	155:4	interns 26:7	122:13	jobseekers	20:9 24:22
71:17	129:10	67:6	159:17,20	interpret	137:17,19	8:24	24:23,24
houses 78:16	improved	incremental...	inherently	67:18	issues 21:19	Johnson 1:13	27:2,12
154:15	144:20	137:8	69:3	interpreted	65:12 79:25	83:17	28:8 30:4
housing 6:8	improvement	Indianapolis	initial 49:10	66:8	106:22	Jones 83:17	30:10,20
43:19,22	123:6	141:17	initiative	interview	124:9	Jovida 5:3,13	31:23 33:20
44:2 46:6	improvement...	indicate	10:13	19:9 40:24	137:11	10:10	36:7 37:20
Houston	133:20	139:11	injurious	48:21,24	items 2:22	June 10:15	45:12,17,18
141:19	improves	152:10,15	80:16	49:9 51:5		jurisdictions	48:8,14
Hub 147:12	14:5	individual	input 138:13	53:3	J	93:24	51:24 52:5
hugely	improving	8:17 28:21	inquire 15:25	interviews	janitors	justice 10:22	52:17,22
119:21	13:20 83:22	individuals	18:6 32:5	42:2	71:17	justify 66:5	53:5 54:3
Human 5:17	144:8,17	61:15	inquiries 9:11	intimately	January		55:21 57:18
6:2 10:3	in-house	industries	10:18 32:3	136:11	83:20 99:11	K	57:19,21
36:20 40:3	154:3	159:16	68:14	introduce	157:12	K 1:10	58:6,13
hundred 79:7	inability	inequalities	inquiring	115:2	Japan 59:20	keep 7:22	59:11 60:15
hurdle 7:12	119:14	64:18	2:18 9:13	introduced	Jeez 57:17	15:15 16:8	74:15,24
hurdles 9:4	inaccurate	inequality 8:5	inquiry 16:9	15:2 23:10	Jeni 80:2	37:9 38:12	77:5,21
	104:4 106:3				Jersey 64:23	99:9 149:22	

Committee on Law and Government
November 22, 2016

Page 10

79:5 92:16	41:12 42:22	35:1 36:1,8	129:1 130:1	Legacy	40:22 76:20	114:15	126:11
97:15	43:9,16	36:13,25	131:1 132:1	156:20	135:20	115:10	135:18
103:19,20	44:16,25	37:1,3,11	133:1 134:1	legal 41:15,20	lit 88:10	116:16,19	156:23
103:21,25	45:9,23	37:24 38:1	135:1 136:1	legislation	litigation	119:11,11	lots 33:13
105:19	47:9,17	39:1 40:1,2	137:1 138:1	13:14 14:20	68:2	123:5 128:9	loud 153:14
106:2	48:2,17,22	40:4,5 41:1	139:1 140:1	14:21,22,24	little 15:14,23	130:11	love 60:11
108:10,12	49:7,12,16	42:1 43:1	141:1 142:1	15:19 16:11	16:18 22:15	133:8	low 8:5 28:25
108:18	50:9,15	44:1 45:1	143:1 144:1	51:16 64:14	31:17 37:3	135:25	28:25 29:2
114:3 119:5	51:13 52:16	46:1 47:1	145:1 146:1	65:18 78:15	52:15 63:22	140:23	74:23 75:8
119:15	52:23 53:10	48:1 49:1	147:1 148:1	92:18	109:8	147:21	76:7 89:22
121:4	54:14 56:3	50:1 51:1	149:1 150:1	114:21,21	117:15	159:15,20	lowballing
124:23	56:13,16	52:1 53:1	151:1 152:1	115:3,3	118:24	looked 76:23	91:2
126:20	60:22	54:1 55:1	153:1 154:1	legislative	119:2 125:9	looking 19:9	lower 7:21
128:21	language	56:1 57:1	155:1 156:1	37:21	157:16	30:6,19	13:22 29:13
130:25	101:2 117:6	58:1 59:1	157:1 158:1	102:10	live 149:23	47:20 48:25	32:21 52:12
131:2 132:5	languishing	60:1 61:1	159:1 160:1	138:10	lives 10:24,25	53:20,25	52:14 53:5
133:2,3,16	13:22	62:1 63:1	161:1 162:1	length 149:23	living 11:25	54:7 76:17	53:7,9 54:4
134:15	large 21:10	64:1,10	162:7,13	lengthy 116:7	13:4 65:6	76:21 77:14	54:13,19
137:22	25:6	65:1 66:1,3	163:1 164:1	lesbian 8:11	local 9:19	78:8 93:23	55:17,22
151:9,10	larger 65:5	67:1,19	165:1 166:1	let's 48:7	22:25 87:19	94:5,9	67:9 72:12
158:22	largest 65:6	68:1,3,6	167:1,19,25	80:18 137:2	92:24 98:4	98:20 107:2	75:19 77:22
159:12	71:6 85:9	69:1 70:1	168:1,3	139:13	136:13,19	107:16	87:15
160:2	141:10	71:1 72:1	laws 16:15	148:12	137:12	111:10	lower-wage
knowing 20:2	late 63:22	73:1 74:1	58:19 60:11	164:14	139:3 142:9	116:5	71:15
26:24 45:2	lateral 77:17	75:1 76:1	65:25 142:6	level 48:14	142:17,18	117:25	lowest 28:20
45:5 109:4	Latinas 7:3	77:1 78:1	158:23	54:13 60:5	142:21	126:14,23	84:4,7,21
110:18	12:11 71:16	79:1,3,3	lawsuit 21:3	60:7 70:9	local-owned	128:24	84:25 85:21
knowledge	71:20	80:1,15	33:12	141:6 159:7	94:2	132:22	85:23 89:15
113:8	law 1:3 2:5	81:1 82:1	lawsuits 33:6	levels 45:12	location	133:5 134:9	89:19 90:24
Korea 59:18	3:1 4:1 5:1	83:1 84:1	lawyer 32:25	71:10 139:3	111:17	134:19	95:10,14
	5:24 6:1,6	85:1 86:1	33:3	LGBTQ 24:2	locked 77:22	141:10	119:21
L	7:1 8:1 9:1	87:1 88:1	lead 51:8,9	55:14	log 155:20	156:24	120:12
L 1:10 169:14	9:19 10:1,9	89:1 90:1	85:22 86:14	life 12:17	long 54:14,15	159:13	121:17
labor 3:18	11:1 12:1	91:1 92:1	87:14	14:5 76:9	54:16,19	looks 21:18	131:3 146:4
7:16 67:24	13:1,17	93:1 94:1	Leader 88:13	lifetime 64:19	55:5 74:2	102:6 159:3	
lack 25:17	14:1,23	95:1 96:1	leadership	lift 11:8	84:6 89:14	losing 29:23	M
122:11	15:1,7,13	97:1 98:1	70:5	light 88:10	95:16	77:16	M/W/DSBE
ladder 13:23	15:23 16:1	99:1,19,21	leading 53:17	125:2	102:11	lost 7:18	86:7
77:19	17:1,11,15	100:1,15	85:18	liked 76:22	103:6,6,7	lot 19:5 25:4	M/WBE
Landau 5:2	17:15,21,23	101:1 102:1	leads 33:5	Lilly 70:5	long-term	27:5 29:24	90:15
5:15,15,22	18:1,3 19:1	103:1 104:1	120:4	limit 15:20	157:8,18	30:16,25	M/WBEs
5:25 14:25	20:1 21:1	105:1 106:1	138:24	68:16	longer 150:15	40:8 55:5	94:2
15:6 17:16	21:21 22:1	107:1 108:1	learn 38:11	link 147:13	155:5	61:25 70:10	maids 71:17
17:24 21:15	22:21,23	109:1 110:1	96:3	155:18	longstanding	70:23 71:3	main 83:25
23:24 24:15	23:1,2 24:1	111:1 112:1	learned 92:21	list 63:16	67:23	94:14 95:2	maintain 9:2
25:8 28:2	25:1,3,12	113:1 114:1	93:2	141:20	look 23:15,16	97:16	maintained
29:7 30:21	25:13,13	115:1 116:1	leave 31:23	153:25	36:15 37:10	101:22	156:6
32:2,8	26:1,17	117:1 118:1	59:25 78:13	160:8,20	40:9 48:13	104:20	maintenance
33:25 35:8	27:1 28:1	119:1 120:1	79:8	listed 111:14	50:10 53:24	107:13	139:19,21
35:19 36:4	29:1 30:1	121:1 122:1	leaves 48:10	listen 26:7	54:12 90:13	111:20	140:21
36:18 37:16	31:1 32:1,2	123:1 124:1	48:12	29:2,24	91:7 93:20	115:18	156:9
38:21,25	32:6,22	125:1 126:1	Ledbetter	57:12	94:11 97:12	120:20	major 7:12
39:15,21	33:1 34:1,3	127:1 128:1	70:5	listening	108:5	125:7	11:15 71:2
40:6,13,21							89:12

Committee on Law and Government
November 22, 2016

Page 11

136:18 Majority 88:12 making 20:10 20:24 24:11 24:13 25:3 57:10,12 83:13 122:2 125:6,8 126:25 147:22 man 6:21,24 12:7,14 13:12 17:21 18:17 33:18 59:25 62:21 67:3 man's 13:8 manage 85:16 126:16 128:11 132:6 managed 154:3 management 119:15,17 120:3,10 121:21 122:3,11 123:7 124:3 126:9,15 127:3,4,10 129:6 132:3 132:11 134:14 144:21 manager 131:16 managers 71:13 131:9 managing 64:10 127:18 128:17,21 128:24 134:20 map 129:16 159:3 Marconi 2:10 4:24 37:21 63:9 80:19 144:2	MARIA 1:14 Marianne 63:12 74:10 79:5 market 9:3 66:14 67:24 marketing 98:16 married 59:8 mass 159:10 Massachus... 13:25 15:6 15:13,23 36:8,20,25 37:23,25 38:8 64:19 68:6 78:14 79:3 80:15 master 130:19,22 Master's 29:4 match 50:6 matrix 127:13 matter 4:5 24:16 27:11 71:25,25 121:7 136:7 169:7 matters 24:19 24:20 101:16 MBE/WBE 142:18 mean 15:10 24:19,20,21 24:24 44:25 45:10 57:19 96:17 100:10,20 104:10,14 104:24,24 106:20 109:10 110:17 111:2 113:10 133:7 135:3 141:19 150:10 152:5 157:20 meaningful	86:21 means 13:9 77:23 84:5 86:3 89:18 169:22 meant 38:4 measure 84:9 85:13 measured 142:4 MED 99:6 median 6:22 mediation 42:12 mediators 42:13 meet 19:7 26:12 28:21 29:20 72:6 75:12 99:5 118:2 127:12 140:7 155:8 meeting 4:13 19:25 107:18 113:24 125:12,15 161:10 162:9,12 164:12 meetings 109:11,19 124:8,23 meets 54:11 84:10 Melissa 80:2 member 30:15 34:20 members 5:23 8:11 10:8 83:4 97:18 118:12 138:8 145:6 150:3 158:11 160:13 161:9 men 7:5 12:11,12 23:23 35:6 59:3 65:3	66:6 67:7 67:12 70:12 71:4,5,23 74:20 75:4 75:15 men's 75:22 mentioned 5:20 65:13 79:2 meshes 100:5 met 98:21 118:3 methodolog... 86:11 methodology 89:18 MICHELE 169:14 microphone 69:18 mid-level 30:11 milk 58:25 million 7:18 12:22,24 mind 31:3 139:18 157:8 minds 20:2 27:5 118:17 mine 76:15 158:14 minimum 58:10 60:7 minor 143:12 minorities 3:12 39:19 70:25 71:7 minority 27:11 87:19 91:11 93:12 93:16 94:7 94:16 103:18 113:25 114:15,19 115:7,20 116:13 minority-o... 98:4 136:14 minute 164:12 missed	105:11 missing 121:22 127:24 129:11 modernize 83:24 96:13 146:12 156:23 modernized 97:22 modernizing 87:17 95:19 100:6 146:13 moment 77:9 momentarily 162:9 money 19:24 20:18 39:7 57:13,24 77:16 87:12 137:23 monitor 125:13,15 129:9 monitored 106:12 monitoring 106:4 monthly 107:5 months 3:21 20:13 59:25 123:19 124:21 126:6 127:23 133:4 152:2 157:24 morning 2:3 5:7,8,12,22 10:7 40:23 64:9 82:13 82:17 83:4 102:21,22 mothers 72:3 72:7,23 motion 162:16 163:13,24 164:18 165:10	166:13 167:4 motivated 50:25 MOU 113:2 move 4:10 43:23,23 44:2 59:8 61:8 77:17 80:18 101:8 103:10 109:6 129:2 133:14 137:3,15 138:6 162:18 163:7 164:14 moved 91:5 140:11 162:21 163:18 164:7,22 165:14 166:4,17 167:9 movement 126:4 moves 115:2 140:5 151:12 moving 103:14 105:14 117:24 125:22 126:10 128:16 multiple 120:21 121:9 MURPHY 169:14 N name 5:20 64:5,9 74:10 names 63:16 149:10 napkins 141:2 narrative 14:8	narrow 7:6 26:4,18 nation 11:15 national 12:19 13:6 59:2 70:19 nationally 70:13 nationwide 16:17 near-term 83:25 nearly 72:23 necessarily 35:23 59:13 85:22 necessary 31:13 132:25 135:21 necessity 157:22 need 19:17,19 22:24 29:5 43:25 44:4 46:21,21 52:17 54:12 57:13 77:20 110:2 111:20 115:22 118:24 122:13 123:17 130:10 132:2 133:11 135:7 138:6 138:7,18 140:16,19 150:7,12,24 needed 89:9 130:13 needs 19:8 26:10 127:16 negative 59:6 59:23 97:2 negotiable 30:18 negotiate 58:9 87:13 negotiating	21:22 22:12 51:19 52:25 90:4 negotiation 19:25 28:10 51:11 52:4 negotiations 38:19 54:2 neighborho... 30:6 neither 13:5 network 36:10 neutral 40:14 45:25 66:10 never 90:16 91:12 97:4 115:21 135:24 new 2:17 4:16 14:23 15:2 15:5 16:11 36:8 59:8 64:20,23,23 64:24 67:15 68:6 74:24 75:15 76:11 78:2 96:3 109:3 114:5 115:3 121:18 122:5 124:6 135:24 137:21,25 138:2,22 141:18 149:5,7,9 149:11,12 151:15 153:4 154:4 newer 156:2 newest 138:20 news 70:16 nice 38:9 nine 135:4,5 nitty-gritty 133:18 non-compet... 81:15 145:14 non-compli... 115:6
--	---	---	---	---	---	--	---

Committee on Law and Government
November 22, 2016

Page 12

non-compli... 121:20	3:22 80:15 121:13	oftentimes 41:24 47:2	on-time 86:6 once 33:6	105:9 110:15	140:4 outlawing 67:13	30:17 Parker 83:16	patterns 123:16
non-discri... 60:8	135:18 occupation 71:16	Oh 1:13 17:2 17:3,20	50:6 99:11 One-third 72:6	118:2 145:16	outlined 105:25	part 93:10 96:12 97:16	pay 3:20 7:10
non-Hispanic 71:23	occupations 71:12,21,23	18:9 21:15 23:19 24:5	one-time 98:20 99:11	147:14 151:25	129:18 outreach 97:17 98:3	97:22 99:22 100:15	12:20,25 13:6,7,14
normal 20:5 26:15	occur 130:13 occurred 42:9	24:18 25:11 28:17 29:7	ones 121:8 126:12	152:12,13 152:16	107:17 98:3 98:13,19	101:18 105:12	13:16,21 17:22 20:12
Norton 16:18 Noted 112:2	occurs 42:20 90:24	29:15 31:14 32:7,23	139:17 ongoing 74:17 98:21	opposed 27:24 63:25	107:17 outside 27:20	107:2,12 113:14,16	22:15,22,24 22:24 23:6
notes 169:6 notice 81:9	OEO 103:15 105:18,19	33:25 34:14 38:16 56:19	125:16 147:2 160:4	126:14 127:8 152:4	131:22,23 134:10	127:8 136:16	28:9 31:7,8 35:6,14,24
145:15,18 noticed 14:19	105:25 106:4,10,23	56:20 59:7 60:25 61:9	online 97:20 121:10	156:3 162:24	156:8 outward-fa... 156:15	142:11 158:15	35:25 36:12 48:16 50:4
notices 144:10	109:5,12 112:9,11,17	65:13 102:18	146:20,25 148:14	163:21 164:25	overall 18:24 overqualified 25:18 29:4	participate 114:15	50:18,21 51:12,21
notifications 152:20	115:24 126:24	111:16 112:5,7,13	149:13,14 154:19,25	165:17 166:7,20	oversee 126:12	participated 98:23	52:10 56:6 56:6,10
153:11 notify 107:9	130:5 134:22	112:16,21 113:6,9,14	158:16 open 16:4	167:12 option 85:11	oversight 108:9	participating 124:24	59:4 64:12 64:17 65:10
152:8 November	offer 39:9 58:11 68:18	113:18 115:12	open-minded 60:17	91:6 ordain 101:17	overstretchi... 131:14	participation 86:8,24	65:22,23,25 66:4,11,24
1:7 nuisance 33:5	68:21 165:24	116:17,20 117:11,13	opening 47:19	order 18:7 64:21 68:7	overwhelmi... 85:12	92:23 93:16 99:18 101:3	67:4,9,11 67:15 70:2
33:11 number 13:3	offered 16:16 33:17 118:5	OIT 159:21 okay 10:7	operate 138:17	83:20 96:24 108:25	owner 50:2	101:10 113:19	70:4,6 72:4 72:8,13,25
71:11 87:10 90:7 103:2	offering 4:12 37:6	15:4 32:7 32:23 39:11	operating 136:25	112:10,12 112:14,17	P	114:2,13 115:8	73:2,7,17 73:19,25
105:17 148:23	offers 72:17 86:20	40:16 56:20 57:5 88:9	operation 99:13	115:14 117:7	p.m 168:4 PA 74:12,12	116:14 117:5	74:3,16 75:16 79:16
numbers 6:22 11:20 100:2	office 30:18 32:13 41:13	88:24 94:18 100:15	opinion 18:25 150:3	149:23 150:13	package 84:14	particular 85:4 106:24	111:22 137:15,19
105:24 110:7 111:6	44:5 83:18 83:25 88:6	101:14 106:8	opportunities 11:3 27:24	ordering 91:3 orders 87:10	page 123:20 159:4	particularly 7:24 58:21	Paycheck 70:8
numerous 80:6	92:14 97:15 105:8	109:21 111:2,9	42:12 86:19 93:6 98:9,9	89:23 129:9 ordinance 2:14 6:5,11	paid 6:21,25 7:3,3,4,5	76:18 parties 42:14	paying 48:11 66:5 126:24
nursing 65:19 Nutter	107:23 112:9	112:21 115:12	146:18 150:14	8:22 17:17 18:5 23:13	12:7,10,10 12:11,14	partner 115:20	133:20 payment 107:9,12
154:21	115:24 124:23	117:11,13 124:20	153:7,12,16 155:16	34:12 67:15 79:4 80:23	32:12 50:24 51:23 52:8	party 154:3 passage 70:7	130:5 payments 107:24
O	129:13,14 133:17	135:9,13 143:2 148:3	opportunity 6:17 9:22	81:12 115:5 116:7,8,13	53:4 59:19 65:20 67:12	passed 14:25 15:3 58:19	payroll 8:23 9:19 23:3
Obama 70:6 73:15	146:14,17 146:21	148:9,10 153:19	14:11 41:23 64:13 73:14	144:5,14 ordinances 58:20	71:21,22 132:15	78:15 92:18 116:9	peaked 7:19 penalize 96:19
objections 169:4	160:21 officer 77:11	158:9 161:21	76:10 85:4 86:9,21	115:13 organization 52:14 54:11	panel 63:10 77:20	142:8,11,17 143:10,15	penalties 2:20 65:14 115:6
objective 116:12	82:18 83:19 115:25	62:21 154:14	90:25 93:9 93:21 96:6	originally 91:9	paper 41:25 146:19	passes 16:5 passionately 101:22	Pending 64:22
observation 51:17	officers 81:9 offices 97:15	older 75:24 on-budget 86:6	96:23 97:6	outdated	paperwork 42:23	PathWays 74:11,12	Pennsylvania 1:6 6:20,23
obstacle 23:14	officials 157:12				151:18,24 paralegal		12:6 35:9
obstacles 23:4							
obviously							

Committee on Law and Government
November 22, 2016

Page 13

65:4 69:24 70:14,20 72:9 95:21 Pennsylvan... 74:17 people 6:6 7:20,24 8:10,10 9:6 19:6 21:7,9 22:24 23:6 23:14,25 24:21,21,23 26:25 28:5 29:22 30:6 30:7,8 33:13 34:8 37:22 43:21 44:2 46:2,3 46:4,7,9,25 49:18,25 55:14,14,15 71:19 75:4 79:25 89:16 97:20 107:25 118:18 129:14 131:15 132:13,14 132:15 134:23,24 138:3,3,4 150:5 151:3 people's 35:15 percent 7:19 11:22,23 19:11 42:8 48:2 70:22 71:12,13,18 72:3,16,21 72:21,24 73:9 75:9 94:6,8 132:4,6 142:20,20 percentage 67:10 perception 25:5 perfection 135:25 perfectly	54:24 55:7 performance 86:5,6 87:3 90:13 93:9 93:21 94:3 94:6 96:7 96:23 102:6 104:3 109:25 111:3 130:23 140:24 period 150:15 permit 83:8 permitted 68:17 perpetuate 8:5 66:21 perpetuated 4:3 perpetuates 64:18 perpetuator 35:17 persisted 65:24 person 25:21 25:22,23 31:7 32:18 39:6 41:8 44:12 48:12 51:25 52:11 53:16,19 54:3,4 55:25 58:2 58:8 60:5 61:10,13,23 78:11 111:15 130:15 134:17 person's 9:15 persons 114:16 perspective 15:10 44:14 47:8 51:4 51:24 52:9 53:2,25 55:15,18,20 56:5,21,22 56:24 89:17 90:8 110:18	perspectives 60:19 pertinent 85:3 Philadelphia 1:2,6 2:15 5:13,16 6:2 8:24 10:11 10:13 11:14 11:21 13:24 17:12 18:25 21:6,11 24:9 25:9 27:16,20 30:12 33:22 48:6 58:20 64:23 65:6 69:8 74:14 75:8 80:25 81:2,14,24 82:5,19 83:7 85:9 89:10 96:12 104:17 113:21 115:13 136:4,16,18 138:19 144:6,15 145:13 Philadelphi... 11:19 37:3 70:17 72:15 76:4 Philly 147:5 148:21 149:3 154:10,19 154:25 155:7,12,17 155:19,23 156:2,6 158:16 159:4 PHL 154:5 PHLContr... 98:17 Phoenix 141:19 pick 125:19 piece 120:10 128:6 130:20	155:6 pieces 121:22 127:25 134:20 pilot 133:11 pilots 128:23 place 5:10 103:12 106:4,24 108:21,25 153:21 157:23 places 36:12 68:22 93:14 placing 83:11 plaintiffs 33:2 plan 87:3 97:6,19 98:13,16,21 99:20 plane 3:17 planned 57:23 planning 29:13 31:8 Plans 85:4 86:9 93:10 93:22 96:23 playing 97:10 please 2:4,10 4:25 5:10 62:5 63:10 82:14 112:6 144:3 Pledge 73:17 plenty 54:23 plus 18:14 58:11 67:6 point 15:20 20:9 25:19 52:20,20,21 54:21 55:17 55:22 57:8 59:17 75:2 89:22,25 90:2 92:5 121:2 130:2 140:10 143:9,12 157:19 159:19 pointed 39:24 points 97:2	120:7 135:18 policies 10:23 66:21 policy 64:12 72:17 73:6 poorest 11:14 population-... 65:7 populations 65:8 portal 147:14 154:11 156:5,15 position 44:11 51:20 53:8 55:2 55:24 56:2 67:21 68:23 78:3 positions 48:4 48:8 55:17 positive 137:9 151:13 153:18 possibility 73:23 possible 9:4 92:14 possibly 41:7 50:18,22,23 posted 144:11 145:17,19 152:12 155:4,16 posting 2:20 postings 147:15 potential 11:7 35:17 44:21 76:2 128:8 poverty 7:15 8:6 11:9,18 11:21 13:4 14:8 43:25 72:14,16,19 72:22 73:24 74:13 power 32:14 55:5 powerful 52:25 55:23 91:17	powers 138:10 practical 26:5 practice 8:3 32:8 65:23 67:14,18 85:7,22 90:20 92:2 92:13 122:17 123:22 128:16 practices 6:5 6:11 8:22 17:17 23:13 25:13 34:6 34:12 36:16 40:5 42:24 86:10 89:11 126:23 146:14 pre-bid 107:18 pre-qualify 137:13 pre-register... 97:21 preference 142:9 preferences 136:14 pregnancy 65:14 pregnant 59:10 65:19 prepare 119:16 prerogative 138:12 prescribing 81:7 present 1:9 34:21,22 88:13 presentations 99:5 presented 105:25 President 1:10 2:7 70:3,6 74:11 pretty 98:13	147:21 prevent 23:21 preventing 76:2 previous 29:11 31:6 61:13 62:16 75:20 90:13 96:15 105:17 previously 24:10 84:20 price 50:15 63:12 69:14 69:16,21,22 84:21 85:18 85:21 86:5 89:20,25 92:5 140:25 prima 42:19 prime 96:20 97:5 107:6 107:7,8 114:12 primes 107:14 principal 136:19 principals 142:21 printing 153:10 prior 18:19 24:7 31:25 64:17 66:8 66:11,19,20 67:5,11,14 68:11 priority 64:11 102:2 prison 30:9 private 2:21 53:14,15 73:8 private-sect... 73:18 probable 42:7 probably 4:20 15:12 16:20 53:6 54:5 77:23 98:14	154:20 157:20 problem 3:24 18:22 31:17 59:2 90:23 105:19 108:19 110:19 121:15 134:5 problematic 33:13 problems 106:22 119:25 123:17 proceed 5:11 82:15 proceedings 169:4 process 8:4 9:5 33:7 40:25 41:2 48:19 49:9 49:11 51:5 52:5 54:22 55:8 58:14 60:17 61:5 86:14,16,17 89:24 90:5 90:5,17 92:8,17 94:13 96:12 99:22 100:18 101:19 107:19 110:2,4,8,9 110:12 116:3,7 132:7,20,22 133:6,19,19 134:4,7,18 134:23 135:6 144:9 150:24 155:23,24 158:3 processes 129:16 130:4 144:19,21 146:13
---	---	--	--	--	--	--	--

Committee on Law and Government
November 22, 2016

Page 14

procurement 83:9,24 84:4 85:6 85:11,13,14 86:13,16,20 86:25 87:17 88:3 89:18 90:5 95:4,8 95:10 96:13 97:13,22 100:6 110:13 124:15 130:11 134:18 136:6,10 139:6,15 142:3,12,19 144:7,9,17 144:18 145:9 146:5 146:18,20 146:22 151:15 157:4,10	2:18 prohibition 10:18 prohibits 68:12 project 64:11 68:3 85:19 86:9 91:8 119:14,16 120:3,10 121:21 122:3,11 123:7 124:3 124:10 126:9,14 127:2,3,9 129:6 130:16 131:9,16 132:3 134:13 159:7 projects 87:8 87:11 124:7 125:15,23 125:25 126:4,10 128:20 130:18,22 130:25 132:4,6,16 132:19 139:23 139:5,14,17 139:18 140:22,22 158:3,6 promised 92:6 promote 30:22 promoted 31:21 promotes 10:22 promotion 60:3 prompt 137:15,19 promulgated 119:3 promulgation 118:7 proof 33:15	properly 67:18 property 6:9 124:4 130:6 proposals 15:9 87:6 proposed 9:20 73:25 79:4 81:18 83:12 84:13 proposer 84:7 proposers' 87:2 proposes 83:7 proposing 81:23 prosecutor 91:24 prospective 9:14 15:22 16:15 20:7 38:20 39:19 prospectives 49:24 prospects 12:8 13:20 protected 17:18 46:14 136:3 protecting 6:6 68:24 protection 65:9 74:4 protective 58:21 proud 58:22 97:15 prove 33:23 43:7 44:15 55:11 114:13 proven 96:10 provide 3:18 65:9 67:16 81:16,24 92:5 140:12 140:19 149:3 155:9 155:11 provided 42:18 70:4 provides 156:19	providing 9:6 72:13 80:23 81:2 82:3 92:4 104:11 108:9 144:10,19 156:9 provisions 81:19 95:14 public 6:8 11:16 53:12 64:21 85:24 86:10 87:11 130:6 133:13 135:21 145:22 158:25 159:8,12,17 161:10,11 162:9,12 169:15 public-facing 154:11 publicly 17:9 100:8 136:13 149:19 publish 81:9 pumping 58:24 purchase 153:24 purchased 153:22 purpose 51:16 61:11 81:6 purposes 118:5 pursuant 9:18 81:18 83:10 push 97:9 124:5 152:20,21 pushing 125:7 126:13 put 18:12 19:8 22:20 30:24 39:25 40:4 50:20	62:4 79:24 80:4 91:11 93:7 110:15 122:22 124:5 127:22 136:20 160:9 putting 4:15 4:20 17:8 108:23 127:20 Q qualifications 8:16 25:18 41:8 49:2 49:17 50:6 50:12 51:10 52:2 67:22 qualified 33:19 39:7 80:24 qualifiers 150:22 qualify 97:21 quality 14:5 53:16 quarterly 155:9 question 44:17,18 45:11,16 61:22 62:15 62:15 88:14 90:11 92:16 97:25 105:11,12 114:23 119:23 137:24 138:5,25 161:3 questioning 40:10 136:12 158:10 questions 9:24 10:5 13:19 14:12 36:7 40:22 47:14 62:25 69:13 78:22 79:18 81:7	88:7 89:8 95:3 102:25 120:7 143:18 147:18 153:25 154:7 160:8 160:20 161:22 quick 38:15 158:15 quickly 43:23 44:3 117:25 140:5 QUINONE... 1:14 quite 62:6 quorum 2:6 R race 26:20 racial 7:10 70:24 71:4 racism 46:7 rah-rah 153:2 raise 22:5 raised 38:16 raises 135:17 raising 80:5 141:14 range 30:25 47:20,23 50:20 51:3 51:8,11 52:6,10,12 52:14,22 53:7 54:17 54:19 56:9 56:25 76:7 77:13 94:2 94:4 ranks 70:14 rapport 49:4 49:4 rate 11:18,21 13:7 31:22 72:16,19,22 74:18 75:22 reach 25:19 36:21 77:6 reached 98:24 reaching	97:18 read 2:11 80:20 141:19 reading 51:17 87:23 ready 15:25 real 6:8,22 8:24 15:15 16:8 38:15 120:2 137:24 realistically 57:9 realized 32:20 really 4:5 19:15,19 25:4 26:21 27:7,10,12 31:19 33:7 58:5 59:12 59:15 78:3 78:7,10 97:24 98:18 99:2,24 100:5,7 104:18 108:4,13 111:10 118:16,18 118:23 119:9,13,17 121:6 124:7 128:10 129:4,8,15 131:11,18 132:13,21 133:12,13 133:18 140:23 150:5 152:17,24 153:12,14 156:13 158:15 reason 8:2 27:23 43:18 reasonable 26:4 39:3 39:13 reasons 37:23 39:10 91:4	Rebecca 82:8 82:17 129:20 134:15 rebid 140:10 Rebuild 116:5 128:21 rebuttal 41:23 receive 43:21 43:22 46:12 46:13 72:25 95:2 107:12 receiving 46:25 recession 7:13,17,23 11:20,24 recognize 34:24 38:14 88:11 recognized 66:18 126:2 recognizes 162:14 recommend... 166:25 record 5:11 16:20 22:20 30:9 34:19 37:20 38:17 79:22 80:4 80:12 88:12 88:15 96:11 96:11 105:6 160:19 recording 33:9 recourse 108:3 recovery 11:18 reduce 18:24 69:7 reducing 73:23 reemphasize 62:7 reference 47:24 89:14 92:21 101:16
---	--	--	--	--	---	---	--

Committee on Law and Government
November 22, 2016

Page 15

reflect 34:19 51:6	147:4 153:7	report 6:20 11:16	145:20	152:14	82:24 83:3	40:17 49:20	81:24 83:8
reflected 117:4,6	relating 81:17 144:11	109:15 112:18 113:3	requiring 65:18 114:12 123:14	responsibili... 4:6 responsible 84:5,6,25 89:16 95:11 95:14 117:2 119:20 120:12,14 120:16,17 120:18 121:6,16 122:4,7,9 125:9 127:12 130:7 146:4	88:17,22 90:22 92:25 94:4 95:13 95:22 96:16 97:24 100:10,19 100:25 102:3,14,22 104:5,18,22 109:22 110:22,25 111:24 112:11,15 112:20,23 113:7,12,16 115:9 116:15,18 118:10 120:6 122:12,24 123:3 124:2 125:3,14 126:19 127:5,19 129:12,23 131:21 133:7,15 134:8 135:9 137:6 139:16,24 141:9,15 142:14,24 143:4,12 144:25 145:5 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	50:14 51:2 57:10 62:7 69:18 73:15 75:13 76:20 77:4 95:22 96:2 97:11 99:10,19 104:12 108:5 109:20 110:25 111:13 115:15 123:3,11,18 123:21 127:5 128:14 136:20,23 137:6 139:24 141:4,9 142:24 147:24 148:13 149:25 150:16 151:15 155:18 156:4 157:7 158:6,7 161:21	rules 87:22 95:10 163:15 164:19 165:5,11,21 167:6,16 run 124:15 rungs 13:22 running 63:22
region 74:14	reliance 65:22 68:17	reported 165:4,20 166:24 167:15	residents 142:20	result 7:20 90:6 84:16 125:25 135:2 28:22 9:14 13:2 75:25 144:7,17 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:24 112:11,15 112:20,23 113:7,12,16 115:9 116:15,18 118:10 120:6 122:12,24 123:3 124:2 125:3,14 126:19 127:5,19 129:12,23 131:21 133:7,15 134:8 135:9 137:6 139:16,24 141:9,15 142:14,24 143:4,12 144:25 145:5 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:13 115:15 123:3,11,18 123:21 127:5 128:14 136:20,23 137:6 139:24 141:4,9 142:24 147:24 148:13 149:25 150:16 151:15 155:18 156:4 157:7 158:6,7 161:21	S S 1:11 sake 160:17 salaries 8:15 28:17 30:15 35:16 48:3 74:23 77:4 salary 2:19 8:9 13:18 13:20 19:17 21:4,22 22:2,11,12 28:6,13 29:12 30:22 30:23 31:2 31:4,10,11 31:25 32:21 49:10 50:8 50:17,20 51:8 52:3 53:8,18,24 54:2,9 55:17 56:9 56:11 62:9 62:10,11,12 62:12,17,19 66:24 67:2 67:9 73:11 73:12 75:19 76:3,7,24 76:25 77:6 77:8,21,22 78:9
register 149:14 155:2,21	relevant 8:18 108:6,15	reporter 169:24	resist 80:10	resulting 84:16 125:25 135:2 28:22 9:14 13:2 75:25 144:7,17 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:24 112:11,15 112:20,23 113:7,12,16 115:9 116:15,18 118:10 120:6 122:12,24 123:3 124:2 125:3,14 126:19 127:5,19 129:12,23 131:21 133:7,15 134:8 135:9 137:6 139:16,24 141:9,15 142:14,24 143:4,12 144:25 145:5 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:13 115:15 123:3,11,18 123:21 127:5 128:14 136:20,23 137:6 139:24 141:4,9 142:24 147:24 148:13 149:25 150:16 151:15 155:18 156:4 157:7 158:6,7 161:21	San 85:12 Sanchez 34:22 102:19 117:20,21 118:15 120:24 122:19,25 123:9
registered 97:20	relied 84:20	reporting 100:2,17 107:3 112:25 157:11	resolution 1:17 80:19 81:22,23 83:6 88:16 143:22 165:25 166:13,23	resolving 84:16 125:25 135:2 28:22 9:14 13:2 75:25 144:7,17 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:24 112:11,15 112:20,23 113:7,12,16 115:9 116:15,18 118:10 120:6 122:12,24 123:3 124:2 125:3,14 126:19 127:5,19 129:12,23 131:21 133:7,15 134:8 135:9 137:6 139:16,24 141:9,15 142:14,24 143:4,12 144:25 145:5 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:13 115:15 123:3,11,18 123:21 127:5 128:14 136:20,23 137:6 139:24 141:4,9 142:24 147:24 148:13 149:25 150:16 151:15 155:18 156:4 157:7 158:6,7 161:21	sanctuary 160:17 sandwich 8:15 28:17 30:15 35:16 48:3 74:23 77:4 sanction 2:19 8:9 13:18 13:20 19:17 21:4,22 22:2,11,12 28:6,13 29:12 30:22 30:23 31:2 31:4,10,11 31:25 32:21 49:10 50:8 50:17,20 51:8 52:3 53:8,18,24 54:2,9 55:17 56:9 56:11 62:9 62:10,11,12 62:12,17,19 66:24 67:2 67:9 73:11 73:12 75:19 76:3,7,24 76:25 77:6 77:8,21,22 78:9
registration 144:22 146:25	relies 103:13	reports 23:11 23:16 100:9 155:9,11 159:5,10	resources 44:13,22 45:2,3,4	resulting 84:16 125:25 135:2 28:22 9:14 13:2 75:25 144:7,17 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:24 112:11,15 112:20,23 113:7,12,16 115:9 116:15,18 118:10 120:6 122:12,24 123:3 124:2 125:3,14 126:19 127:5,19 129:12,23 131:21 133:7,15 134:8 135:9 137:6 139:16,24 141:9,15 142:14,24 143:4,12 144:25 145:5 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:13 115:15 123:3,11,18 123:21 127:5 128:14 136:20,23 137:6 139:24 141:4,9 142:24 147:24 148:13 149:25 150:16 151:15 155:18 156:4 157:7 158:6,7 161:21	sanction 2:19 8:9 13:18 13:20 19:17 21:4,22 22:2,11,12 28:6,13 29:12 30:22 30:23 31:2 31:4,10,11 31:25 32:21 49:10 50:8 50:17,20 51:8 52:3 53:8,18,24 54:2,9 55:17 56:9 56:11 62:9 62:10,11,12 62:12,17,19 66:24 67:2 67:9 73:11 73:12 75:19 76:3,7,24 76:25 77:6 77:8,21,22 78:9
registrations 147:7	rely 66:20	represent 33:2,3 69:22	resolve 13:14 42:14	resulting 84:16 125:25 135:2 28:22 9:14 13:2 75:25 144:7,17 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:24 112:11,15 112:20,23 113:7,12,16 115:9 116:15,18 118:10 120:6 122:12,24 123:3 124:2 125:3,14 126:19 127:5,19 129:12,23 131:21 133:7,15 134:8 135:9 137:6 139:16,24 141:9,15 142:14,24 143:4,12 144:25 145:5 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:13 115:15 123:3,11,18 123:21 127:5 128:14 136:20,23 137:6 139:24 141:4,9 142:24 147:24 148:13 149:25 150:16 151:15 155:18 156:4 157:7 158:6,7 161:21	sanction 2:19 8:9 13:18 13:20 19:17 21:4,22 22:2,11,12 28:6,13 29:12 30:22 30:23 31:2 31:4,10,11 31:25 32:21 49:10 50:8 50:17,20 51:8 52:3 53:8,18,24 54:2,9 55:17 56:9 56:11 62:9 62:10,11,12 62:12,17,19 66:24 67:2 67:9 73:11 73:12 75:19 76:3,7,24 76:25 77:6 77:8,21,22 78:9
registries 147:13 157:4	relying 9:13	represented 33:2,3	resources 44:13,22 45:2,3,4	resulting 84:16 125:25 135:2 28:22 9:14 13:2 75:25 144:7,17 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:24 112:11,15 112:20,23 113:7,12,16 115:9 116:15,18 118:10 120:6 122:12,24 123:3 124:2 125:3,14 126:19 127:5,19 129:12,23 131:21 133:7,15 134:8 135:9 137:6 139:16,24 141:9,15 142:14,24 143:4,12 144:25 145:5 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:13 115:15 123:3,11,18 123:21 127:5 128:14 136:20,23 137:6 139:24 141:4,9 142:24 147:24 148:13 149:25 150:16 151:15 155:18 156:4 157:7 158:6,7 161:21	sanction 2:19 8:9 13:18 13:20 19:17 21:4,22 22:2,11,12 28:6,13 29:12 30:22 30:23 31:2 31:4,10,11 31:25 32:21 49:10 50:8 50:17,20 51:8 52:3 53:8,18,24 54:2,9 55:17 56:9 56:11 62:9 62:10,11,12 62:12,17,19 66:24 67:2 67:9 73:11 73:12 75:19 76:3,7,24 76:25 77:6 77:8,21,22 78:9
registry 108:8 144:20 146:3,11,20 146:24 147:3,10 148:13 149:22 151:15,17 157:3	remain 60:16 67:12 145:20	representing 69:22	respectfully 4:8	resulting 84:16 125:25 135:2 28:22 9:14 13:2 75:25 144:7,17 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:24 112:11,15 112:20,23 113:7,12,16 115:9 116:15,18 118:10 120:6 122:12,24 123:3 124:2 125:3,14 126:19 127:5,19 129:12,23 131:21 133:7,15 134:8 135:9 137:6 139:16,24 141:9,15 142:14,24 143:4,12 144:25 145:5 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:13 115:15 123:3,11,18 123:21 127:5 128:14 136:20,23 137:6 139:24 141:4,9 142:24 147:24 148:13 149:25 150:16 151:15 155:18 156:4 157:7 158:6,7 161:21	sanction 2:19 8:9 13:18 13:20 19:17 21:4,22 22:2,11,12 28:6,13 29:12 30:22 30:23 31:2 31:4,10,11 31:25 32:21 49:10 50:8 50:17,20 51:8 52:3 53:8,18,24 54:2,9 55:17 56:9 56:11 62:9 62:10,11,12 62:12,17,19 66:24 67:2 67:9 73:11 73:12 75:19 76:3,7,24 76:25 77:6 77:8,21,22 78:9
regulates 84:23	remains 71:9	reproduction 169:21	respond 91:2 140:8 160:10,21	resulting 84:16 125:25 135:2 28:22 9:14 13:2 75:25 144:7,17 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:24 112:11,15 112:20,23 113:7,12,16 115:9 116:15,18 118:10 120:6 122:12,24 123:3 124:2 125:3,14 126:19 127:5,19 129:12,23 131:21 133:7,15 134:8 135:9 137:6 139:16,24 141:9,15 142:14,24 143:4,12 144:25 145:5 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:13 115:15 123:3,11,18 123:21 127:5 128:14 136:20,23 137:6 139:24 141:4,9 142:24 147:24 148:13 149:25 150:16 151:15 155:18 156:4 157:7 158:6,7 161:21	sanction 2:19 8:9 13:18 13:20 19:17 21:4,22 22:2,11,12 28:6,13 29:12 30:22 30:23 31:2 31:4,10,11 31:25 32:21 49:10 50:8 50:17,20 51:8 52:3 53:8,18,24 54:2,9 55:17 56:9 56:11 62:9 62:10,11,12 62:12,17,19 66:24 67:2 67:9 73:11 73:12 75:19 76:3,7,24 76:25 77:6 77:8,21,22 78:9
regulating 37:8	remedy 13:15	request 41:19 87:21	respondent 41:18,20	resulting 84:16 125:25 135:2 28:22 9:14 13:2 75:25 144:7,17 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:24 112:11,15 112:20,23 113:7,12,16 115:9 116:15,18 118:10 120:6 122:12,24 123:3 124:2 125:3,14 126:19 127:5,19 129:12,23 131:21 133:7,15 134:8 135:9 137:6 139:16,24 141:9,15 142:14,24 143:4,12 144:25 145:5 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:13 115:15 123:3,11,18 123:21 127:5 128:14 136:20,23 137:6 139:24 141:4,9 142:24 147:24 148:13 149:25 150:16 151:15 155:18 156:4 157:7 158:6,7 161:21	sanction 2:19 8:9 13:18 13:20 19:17 21:4,22 22:2,11,12 28:6,13 29:12 30:22 30:23 31:2 31:4,10,11 31:25 32:21 49:10 50:8 50:17,20 51:8 52:3 53:8,18,24 54:2,9 55:17 56:9 56:11 62:9 62:10,11,12 62:12,17,19 66:24 67:2 67:9 73:11 73:12 75:19 76:3,7,24 76:25 77:6 77:8,21,22 78:9
Regulation 2:15	remember 85:20	requesting 35:16	responding 107:14 108:2	resulting 84:16 125:25 135:2 28:22 9:14 13:2 75:25 144:7,17 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:24 112:11,15 112:20,23 113:7,12,16 115:9 116:15,18 118:10 120:6 122:12,24 123:3 124:2 125:3,14 126:19 127:5,19 129:12,23 131:21 133:7,15 134:8 135:9 137:6 139:16,24 141:9,15 142:14,24 143:4,12 144:25 145:5 147:20,24 148:8,10,16 148:20 149:6,10,17 149:25 150:9,19 151:4,19 152:24 157:6 158:7 160:5,15,25 162:10	111:13 115:15 123:3,11,18 123:21 127:5 128:14 136:20,23 137:6 139:24 141:4,9 142:24 147:24 148:13 149:25 150:16 151:15 155:18 156:4 157:7 158:6,7 161:21	sanction 2:19 8:9 13:18 13:20 19:17 21:4,22 22:2,11,12 28:6,13

Committee on Law and Government
November 22, 2016

Page 16

124:20	162:19,21	155:14	109:11	sir 112:5	46:16 54:18	126:12	60:9 66:14
125:4 126:7	163:16,18	selected	147:3	sit 42:5,14	57:20 61:18	131:23	stop 22:11
126:22	164:5,7,20	139:5,6,14	153:22	site 147:5,6	someone's	stages 10:25	38:18 99:12
127:6,21	164:22	150:4,7	sets 66:23	147:13	22:9 28:15	standard	123:22
129:20	165:12,14	selecting	setting 28:13	site-by-site	48:13	18:7 22:2	stopped
130:14	166:2,4,15	84:16	32:21 64:16	159:14	somewhat	23:17 59:2	24:12
131:25	166:17	selection	setup 154:4	sitting 116:5	51:3	75:11 76:8	107:24
133:10,24	167:7,9	86:17 91:15	sex 17:19	135:19	sorry 45:10	116:11	stopping
134:12	secrecy 73:7	93:3 150:14	65:25 66:7	situated 67:4	57:17 61:2	standards	15:20 22:8
135:10	secret 11:13	self-sufficie...	66:9,12,14	situation 39:5	61:4 62:5	85:3 113:23	stops 21:22
142:10	secretary	75:10	66:16	46:15 69:3	80:10	stands 8:2	21:23 61:20
satisfy 58:7	30:17	send 48:19	share 60:19	76:13 106:5	110:22	start 11:24	stores 30:5
saves 137:23	section 4:17	76:16 107:5	68:20 75:16	109:4	113:17	16:22 28:7	stories 34:8
saving 87:11	81:13 84:2	sending 92:13	76:12	111:12,13	135:11	28:12,14	streamline
saw 16:10	113:22	sense 101:23	short 3:4,8	six 20:13	141:6 149:8	33:9 50:7	146:12
22:7	114:2,5	122:16,18	8:6 147:10	59:25 152:2	sort 98:19	75:13 79:15	Streets
saying 18:12	115:3,15	152:17	shortening	157:24	119:7	82:21 83:2	128:22
22:16 23:20	116:3	sent 98:25	63:25	sizable 65:2	133:11	135:24	strengthened
56:23	145:12	separate	show 35:5	skill 50:5 51:9	152:2	139:13	68:4
103:12	sector 53:12	157:11	66:22	53:20,21	157:14	start-up 19:3	strengtheni...
106:8	53:14,15	separately	shown 61:14	skills 8:16,19	sound 149:11	started 147:2	83:21
118:21	73:8	157:15	shows 122:21	29:21 31:12	spark 151:2	starting	stretched
127:9 131:6	Security	separation	sick 65:20	31:18 49:18	speak 69:17	66:24 75:17	134:3
132:2	72:12	138:10	79:8	50:11	95:7 100:20	124:25	strides 102:4
133:25	see 20:11	served 41:18	side 42:4,4,6	skin 131:12	101:20	159:3	strike 45:16
134:2,2,7	27:10 36:13	service 48:3	sides 40:10	Skolnick 80:2	116:25	startling	strong 15:17
134:13,21	43:10 49:3	140:13,17	sign 153:5	slightly 7:7	special 81:6	11:20	16:6 37:25
134:24	50:10 54:5	140:19	signed 70:3,6	slow 7:8 13:7	81:10	starts 76:6	stronger
says 17:12,17	60:11 75:5	145:11	significant	small 19:2	specific 153:7	state 9:19	47:12 51:19
17:21 18:5	76:21 77:2	153:21	3:22 12:18	21:8,9 25:6	159:17	15:7 22:25	55:2
19:14 20:22	78:7 88:10	156:20	35:5 98:16	50:2 98:4	specifically	36:8,9 65:7	strongly 23:3
22:23 52:11	89:12	services 6:10	106:21	119:4	9:17 66:4	70:15 73:4	structured
57:2,15	107:24	84:24 88:5	109:17	smaller 19:2	67:13 68:9	139:3 141:6	159:8
103:16	114:18,24	117:2	significantly	90:7	96:8	stated 39:17	struggle 8:25
SBDCs 98:24	119:6 122:6	128:22	7:15,21	smart 27:7	specs 140:2,8	statement 3:5	struggling
scenario 29:8	125:2	139:23	64:15 65:17	smoking	140:13	4:23 49:22	30:9 75:7
61:17	143:13	146:6,9	69:7	46:15	spend 29:14	53:8 150:8	75:11
schedule 86:9	147:20	148:22	silo 127:8	so-so 120:17	86:2	states 7:10	Study 117:5
school 12:21	149:20	157:5,9	similar 14:2	social 10:21	spent 73:4	38:8 72:4	stuff 131:15
26:10	153:6,9,16	serving 41:21	14:20,24	72:12	spoken 3:10	statistics 3:14	134:16
scores 106:10	159:18	session 87:24	16:11 49:22	software	36:22	3:18 7:17	137:22,23
search 32:19	seeing 63:4	set 8:15 18:2	64:20 76:15	71:14	sponsor 3:7	35:5 39:18	sub 107:6,7
155:20	79:20 126:3	18:7 21:25	139:10	sole 72:7	103:3	70:24	107:11
searchable	143:25	22:2,10	149:11	solely 118:8	sponsored	status 124:8	subcontract...
159:6	161:25	28:5,12,18	simply 60:8	124:18	83:14	137:13	90:16
searched	162:5	28:18,19,20	single 71:15	solve 3:23	spot 59:10	stay 30:11	subcontract...
159:7	seeking 64:11	29:9,11	72:6,22	35:23	60:2 134:11	stenographic	128:12
searching	68:10	30:14 31:3	127:22	102:11	Squilla 83:16	169:6	subject 84:22
76:16	seen 76:13	32:11 48:4	130:3	136:21,22	stable 9:2	step 73:14	84:25 146:3
153:15	93:8,13	50:5 51:9	134:17	solves 137:20	staff 42:3	74:21 77:18	146:7
second 22:19	116:18	53:20,21	138:17	somebody	49:5 109:12	119:9	subjected
68:16 143:9	126:5	65:11,23	146:2	24:16 31:5	109:14	136:20,23	65:15
seconded	select 85:17	67:14 84:10	147:12	32:4,10,19	118:13	stereotypes	submission

Committee on Law and Government
November 22, 2016

Page 17

80:23 82:4 submit 62:3 152:3,4 158:6 160:11 submittal 99:20 submitted 151:25 submitting 160:20 subpoena 32:14 subs 107:13 subset 153:8 subsidy 158:23 159:14 substantially 65:4 success 34:7 successful 21:8 45:22 successfully 45:20 136:9 142:10 succinctly 90:23 suffered 8:7 suggesting 131:22 suggestions 95:4 suits 33:3 summarizing 64:2 summer 26:12 supervision 169:23 support 10:17 26:21 34:10 64:14 69:5 72:7 79:23 130:10 147:25 150:10,11 156:9 supported 80:14 supportive 88:23	supports 9:20 135:7 145:24 146:10 supposed 32:11 92:5 sure 22:20 40:13 48:5 50:5 82:16 93:18 95:2 101:25 105:13 112:15 121:11 126:25 128:7 148:16,20 151:21 156:24 159:22 160:6,15,19 surmises 13:7 surprisingly 6:25 75:23 surveys 127:2 132:14 suspend 162:8 suspension 87:22 163:14 164:19 165:6,11,22 167:6,17 system 95:8 96:13 97:23 98:18 100:9 100:16 103:12,13 103:22 106:4 107:7 108:20 109:6 119:17,19 120:12 121:13 122:7,10 128:2 135:24 136:6 137:4 137:25 142:19 146:23	148:24 149:5,7,9 149:12,13 153:3,5,20 154:13,14 154:15 155:2,8,13 156:2,10,13 156:14,21 157:7,18 systems 138:20 139:20 156:12,18 156:22 157:2,23 T T 88:6 116:25 145:9 149:3 table 5:5 63:14 82:10 105:4 129:6 130:16 tackle 122:14 tackles 65:21 tag 50:16 tail 51:4 take 25:22 31:22 36:14 37:10 39:10 57:3 58:10 62:20 74:19 78:10 84:15 87:6 91:13 96:17 108:5 110:17 111:5 120:20 123:19,24 124:21 138:7 142:5 152:25 157:23 taken 106:13 142:12 169:6 takes 59:25 141:23 talent 50:19 talk 115:10 120:10 126:20 133:9	134:16 137:10 153:20 talked 126:25 132:12 136:12 talking 30:16 49:14 77:20 100:23 107:21,22 109:9 TANF 73:5 team 53:22 124:6 126:16 tech 140:11 technical 113:4,5 147:9,22 148:2 160:8 technological 150:13 technology 137:10 138:20 140:5,6 teeth 118:25 122:22 tell 57:9,12 57:24 58:2 58:10 telling 3:16 116:22 tells 67:2 155:16 temp 27:18 27:18 28:7 28:8 temporarily 162:8 ten 85:8 132:4 tend 159:5 tenure 101:21 term 61:9 147:11 terms 2:23 62:8 81:5 81:20 82:3 91:2 103:17 104:2 105:20 107:10	120:8 144:13,23 153:23 157:17 Terry 63:11 64:9 testify 6:17 9:23 10:16 14:11 63:17 64:13 79:21 83:6 143:21 145:7 162:2 testimony 4:9 63:23,25 79:23 80:3 83:10 87:25 94:25 147:17 148:7 161:16,19 thank 2:25 5:18 6:14 9:22,25 10:2 11:4 11:10 14:10 14:14,17 17:3 21:16 34:14,15,16 34:17 35:2 37:12,14,16 37:17,18 40:17,19 56:15,16,17 60:21,22,23 62:23 63:5 63:6,7 69:9 69:10,16,21 74:5,6,9 78:18,19,21 82:6,11 89:5 94:18 94:20,23,25 102:13,14 102:15 103:2 111:25 112:3,7 117:14,16 117:18,21 117:24 135:13,15 143:2,4,5 143:15,16	148:4 158:17 160:5,24 162:10,15 163:5,11 164:2,16 165:8,23 168:2 then-Counc... 154:21 thing 14:6 17:14 22:19 23:7 27:6 28:4 38:23 43:24 73:15 93:6 98:21 151:7 152:25 159:2 things 22:23 26:5 27:17 33:11 38:16 46:6 53:23 58:4 59:12 59:15 64:3 89:13 93:2 97:25 108:24 111:11 114:10 115:19 120:25 125:7 127:11 128:5 129:7 129:17 131:5,17 136:25 140:25 147:22 151:6 156:23 think 3:16,21 4:4 5:20 15:15 16:2 16:12,15 18:24 22:12 23:3 31:20 35:20 36:24 36:25 38:2 38:7,11,12 39:3,14 40:2,10	43:17,18 44:6,20 45:19,25 49:5,9,21 51:15 54:21 59:14,20 60:3 61:9 61:21 64:5 78:7,16 80:20 89:2 89:9 90:7 91:16 94:10 95:19 99:24 99:25 100:5 100:7,10,14 100:21 101:2,5,19 101:24 102:3,8,8,9 102:21 104:5,13,16 104:19,22 108:17 109:13 111:2 114:9 115:9 118:15,19 119:21 120:7 121:2 122:12,14 125:16,18 126:19 128:10,13 129:21 130:8,10,16 131:7 132:17,19 132:20 133:8,10,16 134:8 135:7 135:21 136:20 137:18,24 138:14 150:9,17,20 151:2,20 157:8 158:19 thinking 20:16 47:2 47:24 50:8 92:19 135:20	thinks 15:16 third 154:3 thorough 110:14 thought 39:8 113:10 143:14 thousand 56:7 thousands 78:2 three 63:21 69:12 70:17 80:20 123:2 130:24 threshold 120:15 time 14:13 16:5 19:5 19:11 25:20 26:2,11 30:10 34:15 41:16 51:6 55:12 57:8 57:11 58:12 58:13 60:18 63:8 67:9 71:20 77:10 80:9 87:9 87:11 88:8 95:9,13,17 101:17,17 103:6,7 109:3 126:12 129:8 130:17 131:7,19 132:15,17 132:17,24 133:3,21 140:3,16 147:18 150:15 152:14 160:18 161:19 timeframe 159:25 timeline 121:10 timelines 123:25
---	---	--	---	---	---	--	---

Committee on Law and Government
November 22, 2016

Page 18

108:6,14 161:9 times 25:25 30:16 73:3 98:22 title 2:11,14 144:5,15 today 2:12 9:23 70:13 83:5 84:8 95:3 144:3 145:7,8 161:7 167:25 told 112:24 tool 91:17 93:15,18 top 141:17 total 72:25 totality 33:17 totally 126:13 touch 37:9,22 77:2 touched 74:25 103:5 Trades 2:16 trained 42:13 training 130:12 transcript 169:8,21 transferring 122:6,10 transgender 8:12 transparency 86:18 87:18 145:22 149:16 150:12,17 151:5,12 152:18 155:6 158:19 transparent 150:25 transparent... 100:8 transphobia 46:8 transpiring 109:9 treated 61:15	Trevor 88:4 98:14 145:8 tried 79:9 tries 35:21 trigger 32:21 true 59:13 71:14 169:7 truly 19:16 20:4 65:10 95:18 131:3 trust 133:13 134:23 try 15:19 16:8 26:3 30:3 44:3 77:6 trying 15:14 15:17 25:16 25:19,21,22 25:23 27:8 35:22 38:3 43:24 49:3 53:15 60:4 60:13 61:7 79:15 97:17 101:7 108:13 117:15 131:5,16 136:2 156:22,25 158:24 Tuesday 1:7 turned 132:16 two 24:11,16 42:12 45:11 48:4 59:23 68:5 79:24 98:10 106:16 127:15 130:23 139:10 140:4 144:2 147:13 152:13,14 155:10 156:12,17 157:4 161:23 162:3 two-thirds	72:24 type 17:9,14 26:13 42:17 59:11 93:25 94:10 types 33:11 61:14 93:4 93:5 128:20 139:14,16 typical 19:6 72:9 typically 59:3 66:10 139:5 139:14 U U.S 6:19 7:16 7:18 unacceptable 14:8 127:17 unanimously 78:15 unclear 45:24 underempl... 7:25 8:13 24:3 underpaid 7:25 8:14 24:4 understand 8:23 20:22 23:19 57:15 88:19 103:11 107:20 111:16 150:6,23 158:24 159:10 understand... 79:13 Understood 53:10 undigestible 159:11 unemploy... 7:19 unequal 65:22 unfolds 37:11 unfortunate 14:7 unfortunat... 43:18 58:25	95:25 union 30:15 unit 88:5 145:11 146:9 156:7 United 7:10 72:3 University 69:23 unjust 136:4 unlawful 6:7 67:19 unsuccessful 21:9 untenable 68:22 updated 95:12,15 153:24 updates 154:2 upper 54:25 use 6:12 23:5 23:14,17 39:12 48:5 48:8 85:24 89:15,17 90:19 92:22 93:18 115:21 141:12 useful 139:12 uses 91:12 141:20 usually 30:14 30:18 46:11 46:14,18 54:24 V vacation 57:22 value 59:7 60:5,6 61:10,12 66:15 81:4 81:19 82:2 83:10 84:17 84:21 85:6 85:10,14,15 85:25 86:16 86:20,25 89:8 90:12 90:21 91:6	91:22 92:22 93:15 95:3 96:5,9 100:7 101:11 102:4 103:11 105:16 106:9,14 109:2,6 110:10,15 112:22 114:25 115:16 116:10 117:25 120:9,11,20 122:16 124:14 125:18,21 128:2 130:9 131:2 132:7 132:9 136:22 137:15 138:2,6,21 138:23,25 139:6,12,15 141:8,12,21 141:23 142:2,13,23 value-based 119:19 121:12 122:10 valued 33:12 values 84:18 122:5 variety 99:7 various 14:21 34:4 89:23 vendor 84:6,9 84:16 85:17 86:5 87:6 98:2 104:12 124:10 130:5 140:18 144:20,20 144:22 146:2,11,19 146:24 147:3,10	148:13 156:8,8,10 vendors 86:4 90:25 96:9 107:20 109:11 125:20,24 126:24,25 130:6 133:21 149:14 152:3,8,15 153:5 155:2 155:3,14 verification 9:18 verify 110:6 versus 22:5 91:8 120:17 157:22 veteran-ow... 142:18 vetting 110:2 110:14 Vice 74:11 vigilant 111:21 violated 40:2 violation 32:6 32:22 void 113:10 113:11 114:3,5 115:14 voluntarily 20:22 24:13 62:3 68:20 voluntary 37:5 volunteer 20:23 voted 81:8 85:12 163:13 166:14 167:5 voters 10:14 85:11 W wage 2:17,22 3:24 6:12 8:3,5,7,20 8:23 9:9,11	9:15,18 10:18 12:6 12:18 14:2 14:4 18:6 18:15 21:23 21:25 22:7 22:10 23:17 28:16 32:3 32:5,19 33:20 35:14 35:16 37:6 54:20 60:14 62:16 64:16 64:18 65:3 65:23 66:21 66:25 67:5 67:20,24 68:10,13,17 68:21 69:8 71:24 73:11 74:18,21 75:2,6,24 wages 3:13,25 3:25 4:5,5 7:21 8:5 13:8 16:9 17:13 18:2 18:20,21 23:22 24:7 24:8,14 28:13 31:11 35:16 61:11 61:13 64:17 66:2,8,19 66:20 67:14 69:2 72:5 75:13,21,22 Wait 129:24 waiting 60:3 walk 46:25 54:25 walked 33:18 walks 29:18 want 3:4 16:8 18:4 19:16 20:4,4,9,10 20:25 21:2 21:17 22:14 25:24 26:3 26:8,14 29:22 31:4 33:9 34:23 42:14 44:16	47:21 48:12 50:4,4 52:2 54:12 55:4 55:20 61:8 63:9 74:25 76:12 78:14 79:9 80:20 82:20 96:18 96:21 97:9 111:6,23 112:23 117:23 118:4 119:12,15 119:18 120:25 121:11 127:12 129:3,4 135:6,19 138:15,15 138:22 140:23,24 149:2 153:6 153:9 155:5 158:3,17 160:18 161:4,7,15 wanted 22:19 62:7 89:7 103:2 104:6 104:25 113:3 129:25 wants 25:17 63:17 103:20 wasting 77:10 way 16:22 26:5 33:14 38:18 74:2 90:25 92:23 96:22 98:11 102:11 104:10 107:19 122:15 125:18 131:10 136:25 138:21 140:12,18 150:2,22
--	--	---	---	--	---	--	---

Committee on Law and Government
November 22, 2016

Page 19

154:18	136:2	well-rounded	12:24 13:4	133:18	Wright 80:2	Z	84:1 85:1
159:6,8	147:17	120:22	14:3 17:13	135:6	writes 140:3		86:1 87:1
160:12	150:11	went 41:5	23:23 35:6	150:24	writing	0	88:1 89:1
ways 60:12	156:22	79:6 136:2	39:18 55:13	worked 109:5	160:10	03-12 117:8,9	90:1 91:1
we'll 29:5,6	158:22,23	weren't 150:6	58:22,24	121:5	written 47:5		92:1 93:1
38:12 39:13	159:13	white 71:5,22	59:4,4	worker 18:13	63:23 79:23	1	94:1 95:1
57:14 58:13	we've 22:23	73:17	64:12 65:3	29:23,23,24	140:2	1.2 12:22	96:1 97:1
69:12 92:18	22:25 34:3	120:13	65:5,5,15	workers	wrong 27:4	10 7:19 56:7	98:1 99:1
96:17 104:9	41:14 70:10	wider 15:14	65:20 66:5	26:19 71:11	51:15	70:21 94:8	100:1 101:1
104:23	93:2,8,13	wife 57:22	67:7,11,16	76:4	116:21	132:6	102:1 103:1
111:7	98:2,12,15	wiggle 54:23	69:8,23,25	workflow	wrote 114:3	10,000 12:2	104:1 105:1
117:13	98:21,24,25	WILLIAM	70:11 71:4	130:13		30:2 33:22	106:1 107:1
130:9 162:7	99:6,6	1:10	71:7 72:2	workforce	X	10:15 1:7	108:1 109:1
164:14	106:13	Williams 88:6	72:11,13,20	42:25 93:19	X 46:17 47:3	11/22/16 3:1	110:1 111:1
we're 3:14	114:8 120:5	116:24,25	74:4,17,20	101:10	48:11 57:12	4:1 5:1 6:1	112:1 113:1
4:14,19	122:25	117:12,17	74:23 75:3	working 6:20	xenophobia	7:1 8:1 9:1	114:1 115:1
15:14,17,25	123:15	145:10	75:4,15,23	12:17 24:12	46:8	10:1 11:1	116:1 117:1
19:11 21:13	126:5	154:6 156:4	75:25 94:7	25:2 26:25		12:1 13:1	118:1 119:1
21:13 31:21	130:17	willing 51:12	103:18	72:20,22	Y	14:1 15:1	120:1 121:1
34:10 38:3	151:6	56:10 99:4	113:25	79:11,12	Y 46:17	16:1 17:1	122:1 123:1
39:17 40:13	152:14	122:22	114:16	94:13 97:13	yeah 24:15	18:1 19:1	124:1 125:1
42:4 46:19	153:13	126:8	women's 13:8	104:9	150:9	20:1 21:1	126:1 127:1
60:4 61:7	web-facing	win 91:3	64:10 68:3	118:13	151:23	22:1 23:1	128:1 129:1
88:22 95:5	156:5	winning	72:5,16	123:7	year 7:7,11	24:1 25:1	130:1 131:1
98:20 99:3	website	118:17	73:2,6	125:21	10:16 11:11	26:1 27:1	132:1 133:1
99:12 101:7	145:18,21	withholding	women-own...	129:15,18	11:11 20:17	28:1 29:1	134:1 135:1
103:13,15	websites	114:14	93:17	130:3,4,5,5	57:21 59:20	30:1 31:1	136:1 137:1
104:8	153:16	witness 5:4	wonder 18:23	146:22	71:21 73:5	32:1 33:1	138:1 139:1
105:14,15	Wednesday	15:16 63:13	wonderful	151:6 157:3	75:21 140:4	34:1 35:1	140:1 141:1
107:16	15:5	82:7,9,9	25:8,9 27:6	159:25	146:17	36:1 37:1	142:1 143:1
108:4,8	Week 99:6	105:3,3	Wonderling	workplace	152:3	38:1 39:1	144:1 145:1
109:23,24	weekly 124:8	witnesses 3:4	80:4	65:18 74:3	years 3:11	40:1 41:1	146:1 147:1
110:5,9	124:22	3:15 4:25	word 95:20	74:24	12:17 13:11	42:1 43:1	148:1 149:1
111:3,4,11	125:12,15	5:4 61:6	110:17	works 5:10	13:16 22:14	44:1 45:1	150:1 151:1
111:22	weeks 3:19	63:13	words 18:12	36:25 74:12	24:11,17	46:1 47:1	152:1 153:1
118:12,18	76:14	woman 6:24	work 9:6 10:3	86:11 87:11	26:24 62:21	48:1 49:1	154:1 155:1
118:23	152:13	12:20,23	17:5 26:9	131:13	66:22 74:19	50:1 51:1	156:1 157:1
121:14,25	weigh 103:21	13:19 17:23	27:19,21	world 46:19	79:7 126:5	52:1 53:1	158:1 159:1
122:15,21	weighs 21:19	33:18 59:7	34:5,8	worse 12:9	135:4,5	54:1 55:1	160:1 161:1
122:22	weight 91:14	59:22 67:8	37:13 53:21	71:8	138:24	56:1 57:1	162:1 163:1
123:19	94:16 96:22	72:9 76:6	57:20 58:12	worst 77:15	141:8	58:1 59:1	164:1 165:1
125:6,8,10	109:24	93:12	66:16 70:7	worth 22:7,13	145:21	60:1 61:1	166:1 167:1
125:11,12	140:24	woman's	71:20 72:4	22:17 29:24	148:23	62:1 63:1	168:1
125:14	weighted	12:16 13:2	75:21 76:5	33:6 57:25	149:24	64:1 65:1	12 3:20
126:12,23	93:10,25	62:10 64:19	76:9 77:5	58:5 61:21	154:14	66:1 67:1	12:50 168:4
127:7,14,19	137:14	66:11 67:2	78:11,17	66:13 76:6	157:21	68:1 69:1	13-year-old
128:2,9,20	142:22	women 3:11	79:10 103:3	76:10 134:9	yield 158:10	70:1 71:1	13:10
128:23	weighting	3:18 5:14	111:23	wouldn't	York 15:2,5	72:1 73:1	130,800
129:2,11	93:8	6:20,25 7:2	121:14	27:16 97:5	16:11 59:9	74:1 75:1	11:22
131:3,4,5	weightings	7:4 8:10	126:21	106:17	64:20,24,24	76:1 77:1	14 73:3
131:18	93:5 94:10	10:11,24	129:3,4,14	110:16,19	68:6 141:18	78:1 79:1	15 70:21
132:21,24	welcome	11:12 12:4	129:16	122:14	York's 14:23	80:1 81:1	72:24 94:6
133:4,12,13	117:17	12:6,8,9,12	130:8,24	Wow 58:5	Youth 11:17	82:1 83:1	15,000 147:6

Committee on Law and Government
November 22, 2016

Page 20

16 17:18	105:1 106:1	81:12 83:13	2007 7:13	47 12:17			
160 163:6	107:1 108:1	143:22	2009 7:13				
160678 1:16	109:1 110:1	165:9,20	70:7	<u>5</u>			
3:1 4:1 5:1	111:1 112:1	160981 1:17	2011 34:4	5 56:7 94:8			
6:1 7:1 8:1	113:1 114:1	81:22 83:6	2012 73:5	50 73:20			
9:1 10:1	115:1 116:1	143:23	2015 6:19	142:20			
11:1 12:1	117:1 118:1	165:25	10:14 11:22	51 42:8			
13:1 14:1	119:1 120:1	166:14,23	116:23	51,212 6:23			
15:1 16:1	121:1 122:1	17 144:5,15	2016 1:7	53 13:16			
17:1 18:1	123:1 124:1	17-1400	73:21 136:7	55,000 18:18			
19:1 20:1	125:1 126:1	84:23 146:8	2059 7:11	56 7:3 12:11			
21:1 22:1	127:1 128:1	147:4	13:9	13:10 62:21			
23:1 24:1	129:1 130:1	154:22	22 1:7 71:18	58 71:21			
25:1 26:1	131:1 132:1	155:10	22,000 47:22	59 70:11			
27:1 28:1	133:1 134:1	17-1402	25.8 72:15				
29:1 30:1	135:1 136:1	145:13	250,000	<u>6</u>			
31:1 32:1	137:1 138:1	17-1404	21:12	6 56:7			
33:1 34:1	139:1 140:1	81:13	27th 70:15	6-109 100:3			
35:1 36:1	141:1 142:1	17-1500	28.7 72:24	60 142:20			
37:1 38:1	143:1 144:1	117:6		61 73:9			
39:1 40:1	144:4 145:1	17-1600 85:5	<u>3</u>	65 71:12			
41:1 42:1	145:7,12	17-500 113:6	3-12 117:12	68 7:3 12:10			
43:1 44:1	146:1 147:1	113:9,10,18	3.9 72:21				
45:1 46:1	148:1,13	114:6 115:4	30 29:18	<u>7</u>			
47:1 48:1	149:1 150:1	116:4 117:4	138:24	7 56:7			
49:1 50:1	151:1 152:1	18 26:23	30,000 22:4	700,000			
51:1 52:1	153:1 154:1	123:19	29:10 31:6	12:22			
53:1 54:1	155:1 156:1	124:21	31.5 11:23	71 72:3			
55:1 56:1	157:1 158:1	127:23	32 29:19	79 6:21 12:7			
57:1 58:1	159:1 160:1	133:3	32,000 47:22	70:14			
59:1 60:1	161:1 162:1	141:18	35 29:12				
61:1 62:1	163:1 164:1	1913 70:2	33:19	<u>8</u>			
63:1 64:1	165:1 166:1	1950 21:12	35,000 22:5	8-200 84:2			
65:1 66:1	167:1,4,15	1951 95:15	31:7 32:12	8.1 72:21			
67:1 68:1	168:1	95:15 103:5	39:12 47:23	8.4 7:18			
69:1 70:1	160679 1:16	119:10	38 39:13	80 3:18 70:13			
71:1 72:1	144:14	136:6 156:3	38,000 47:22	81 7:4 12:13			
73:1 74:1	145:8,25	1953 70:11	38.3 11:22	12:14 71:13			
75:1 76:1	147:20	1963 13:17					
77:1 78:1	161:6 164:3	34:13 70:4	<u>4</u>	<u>9</u>			
79:1 80:1	167:20	1981 69:25	40 74:19	9 2:14			
81:1 82:1	160840 1:16	1995 154:18	40,000 56:25	918,120			
83:1 84:1	2:13 6:10	156:3	40,742 6:24	72:10			
85:1 86:1	9:8,20	1st 99:12	400 1:6	95 19:11			
87:1 88:1	10:17 13:13		43 75:9	156:11			
89:1 90:1	162:17	<u>2</u>	45 29:18,20	971 82:23,24			
91:1 92:1	163:8,12	2 12:23 56:7	33:17,18	98 61:19			
93:1 94:1	160971 1:16	20 22:14 94:6	45,000 18:14	98,000 57:4,5			
95:1 96:1	80:22 83:11	141:10,17	18:17 22:6	57:17 61:21			
97:1 98:1	143:22	141:18	22:13,18	61:24 62:2			
99:1 100:1	164:17	154:14	29:9 31:3	99 48:2			
101:1 102:1	165:4	2006 142:7	31:16 32:11				
103:1 104:1	160972 1:17	154:20,25	56:25 61:19				
		156:3,4,12	61:25				