

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON COMMERCE AND ECONOMIC DEVELOPMENT

Remote location using Microsoft® Teams
Monday, February 7, 2022
10:00 a.m.

PRESENT:

COUNCILMAN MARK SQUILLA, CHAIR
COUNCILMAN ALLAN DOMB, VICE-CHAIR
COUNCILWOMAN KENDRA BROOKS
COUNCILWOMAN JAMIE GAUTHIER
COUNCILWOMAN KATHERINE GILMORE RICHARDSON
COUNCILMAN DEREK S. GREEN
COUNCILMAN KENYATTA JOHNSON

ALSO PRESENT:

COUNCILWOMAN MARIA D. QUINONES-SANCHEZ

RESOLUTION: 210966

1 - - -

2 COUNCILMAN SQUILLA: Thank you.

3 Before we start today the Committee on
4 Commerce and Economic Development for
5 Monday, February 7th, we ask that all
6 members on the call please mute your
7 phone.

8 I understand that the state and
9 current law requires that the following
10 announcement be made at the beginning of
11 every remote hearing as follows: Due to
12 the current public health emergency,
13 City Council Committees are currently
14 meeting remotely. We are using
15 Microsoft Teams to make these remote
16 hearings possible.

17 Instructions for how the public
18 may view and offer public testimony at
19 public hearings of Council Committees
20 are included in the public hearing
21 notices that are published in the Daily
22 News, Inquirer and Legal Intelligencer
23 prior to the hearing and can also be
24 found on PHLCouncil.com.

25 Will the Clerk please call the

1 roll and take attendance. Members that
2 are here in attendance, please indicate
3 that you are present by stating your
4 name and saying aye. Mr. McMonagle,
5 please call the roll.

6 THE CLERK: Councilmember Domb.

7 COUNCILMAN DOMB: Morning,
8 Mr. Chair and colleagues and everyone
9 else attending.

10 THE CLERK: Councilmember
11 Katherine Gilmore Richardson.

12 COUNCILWOMAN GILMORE

13 RICHARDSON: Good morning, Mr. Chair.
14 Good morning, colleagues. And good
15 morning, Philadelphia.

16 THE CLERK: Councilmember Jamie
17 Gauthier.

18 COUNCILWOMAN GAUTHIER: Good
19 morning, Mr. Chair and colleagues and to
20 all of the witnesses for today.
21 Present.

22 THE CLERK: Councilmember
23 Kenyatta Johnson.

24 COUNCILMAN JOHNSON: Good
25 morning, Mr. Chair. Good morning,

1 colleagues.

2 THE CLERK: Councilmember
3 Curtis Jones, Jr.

4 (No response.)

5 THE CLERK: Councilmember
6 Kendra Brooks.

7 COUNCILWOMAN BROOKS: Good
8 morning, Mr. Chair and colleagues. I am
9 present.

10 THE CLERK: Councilmember Derek
11 Green.

12 COUNCILMAN GREEN: Good
13 morning, Mr. Chair. Good morning,
14 colleagues. And thank you,
15 Councilmember Johnson, for this
16 resolution and this important discussion
17 this morning with today's witnesses.

18 THE CLERK: Councilmember David
19 Oh.

20 (No response.)

21 COUNCILMAN SQUILLA: Thank you,
22 Mr. McMonagle, a quorum of the Committee
23 is present and the hearing is now called
24 to order. This is a public hearing on
25 the Committee of Commerce and Economic

1 Development regarding Resolution No.
2 210966.

3 Will Mr. McMonagle please read
4 the title of the resolution.

5 THE CLERK: Resolution No.
6 210966, authorizing hearings by the
7 Committee on Commerce and Economic
8 Development to examine diversity and
9 inclusion in contracting by the City and
10 related public sector agencies,
11 including the School District, the
12 Southern Eastern Pennsylvania
13 Transportation Authority and the
14 Philadelphia Industrial Development
15 Corporation.

16 COUNCILMAN SQUILLA: Thank you.
17 Before we start, I would like to say how
18 important this hearing is and thank
19 Councilmember Johnson for the
20 resolution, noting that we as a City and
21 our agencies need to lead by example.
22 And it's important for us to be able to
23 show others, who we expect to do the
24 same thing, that we are abiding by our
25 rules and registrations and also making

1 every effort possible to make sure we
2 have minority participation in all the
3 things that we do.

4 So, Councilmember Johnson,
5 would you like to make a statement?

6 COUNCILMAN JOHNSON: Yeah.
7 Thank you very much. Mr. Chair and
8 colleagues and most importantly the
9 panelists and witnesses, I want to thank
10 you for taking time out of your schedule
11 to participate in this very important
12 hearing.

13 As we all know, Philadelphia is
14 the poorest big city in the nation. It
15 has been for years. A quarter of our
16 residents are below the poverty line.
17 But recent years have brought new
18 prosperity to the City. The evidence is
19 all around us. All you have to do is
20 look up at the cranes in the skies.
21 Hospitals, universities, labs, offices
22 and condos are sprouting up. The City's
23 population is growing for the first time
24 since the mid-1900s.

25 In just a few years, we've

1 added \$1 billion to the City budget.
2 Unfortunately, this rising tide is not
3 lifting all boats. Philadelphia's Black
4 poverty rate has more than doubled the
5 White poverty. The Hispanic poverty
6 rate is even higher. City government
7 must treat this status quo as
8 unacceptable and it must lead the way in
9 changing it.

10 Right now, however, the City is
11 not leading. Philadelphia's population
12 is 44 percent Black, but only 11.5
13 percent of City contracts go to
14 Black-owned businesses. Philadelphia's
15 population of Hispanics is 15 percent,
16 but only 3.5 percent of City contracts
17 go to Hispanic-owned businesses.

18 Even worse, those numbers
19 haven't improved in recent years. In
20 other words, the City is failing to use
21 one of its most powerful economic tools
22 in spending power to support
23 disadvantaged Black and Brown
24 businesses. If anything, it's making
25 the racial equity gap worse. Today is

1 my goal to shed some light on this issue
2 and begin to chart a path forward. I
3 know that we can do better as a City.
4 Let's get started today.

5 Thank you very much,
6 Mr. Chairman.

7 COUNCILMAN SQUILLA: Thank you,
8 Councilmember Johnson.

9 And before we begin hearing
10 testimony from the witnesses we have for
11 today, everyone who has been invited to
12 the meeting to testify should be aware
13 that the public hearing is being
14 recorded. Because the hearing is
15 public, participants and viewers have no
16 reasonable expectation of privacy. By
17 continuing to be in this meeting, you
18 are consenting to being recorded.

19 Additionally, prior to
20 recognizing Members for their questions
21 and comments they have for witnesses, I
22 will note for the record at this time
23 that there will be a use of the chat
24 feature available on Microsoft Teams to
25 allow Members to signify that they wish

1 to be recognized in order to comply with
2 the Sunshine Act, and the chat feature
3 must only be used for this purpose.

4 Mr. McMonagle, can you please
5 read the first panel for Resolution No.
6 210966.

7 THE CLERK: Yes. Can we please
8 have Stephanie Tipton.

9 COUNCILMAN SQUILLA: Good
10 morning. If you're connected, just
11 state your name for the record and
12 proceed with your testimony.

13 MS. TIPTON: Thank you. Good
14 morning, Chairperson Squilla and members
15 of the Committee on Commerce and
16 Economic Development. My name is
17 Stephanie Tipton. I am the City's Chief
18 Administrative Officer. I'm joined this
19 morning by the following representatives
20 from core City departments that are
21 engaged in supporting and advancing
22 inclusive procurement throughout the
23 City. So with me today, I have
24 Nefertiri Sickout, the City's Chief
25 Diversity, Equity and Inclusion Officer;

1 Monique Nesmith-Joyner, the City's
2 Procurement Commissioner; Kathy Padilla,
3 the Deputy Director for Diversity and
4 Inclusion at the Philadelphia
5 International Airport; Dawn Summerville,
6 Deputy Commerce Director for Business
7 Development; and Karen Fegley, Deputy
8 Commerce Director for Neighborhood and
9 Small Business Development.

10 I'm happy to be here today to
11 provide testimony on Resolution 210966
12 regarding diversity and inclusion in
13 contracting by the City and other
14 related public sector agencies.
15 Prioritizing diversity, equity and
16 inclusion and everything we do is a
17 hallmark of the Kenney Administration,
18 and this extends to our contracting
19 practices.

20 Each year the City aims to
21 reach a level of equitable inclusion on
22 City contracts equal to the availability
23 of minority-, women- and disabled-owned
24 business enterprises or M/W/DSBEs, which
25 is currently at 35 percent. The Office

1 of Economic Opportunity or OEO is an
2 office within the City's Department of
3 Commerce and plays a lead role in
4 ensuring the City addresses its goals
5 for equity and inclusion on minority-,
6 women- and disabled-owned businesses in
7 its contracting opportunities.

8 OEO's mission is to ensure that
9 the City is working with diverse
10 business to fulfill its needs for goods
11 and services and to promote and support
12 the economic development of M/W/DSBE
13 businesses. OEO carries out this
14 mission by conducting outreach and
15 registering M/W/DSBE businesses,
16 reviewing and monitoring contracts,
17 providing oversight on large contracts
18 and projects, partnering with
19 organizations across Philadelphia and
20 advocating for diverse businesses of all
21 sizes.

22 Despite facing unprecedented
23 operational and financial challenges
24 during the course of the pandemic, the
25 City of Philadelphia's M/W/DSBE

1 participation rate on contracts for FY20
2 and FY21 came in at just over 30
3 percent. While this is a slight decline
4 from 36 percent achieved in FY19, OEO's
5 staff has worked hard to continue
6 delivering on their work and their
7 mission.

8 OEO is one of the core
9 departments that helps the City as a
10 whole prioritize diversity inclusion in
11 the contracting process. As we look
12 forward to the receipt of historic
13 levels of funding through the
14 Infrastructure Investment and Jobs Act,
15 IIJA for short, the City is preparing to
16 leverage those dollars to promote
17 opportunity and build wealth based on a
18 commitment to racial equity. This will
19 require creativity and focus as we
20 identify and address longstanding
21 barriers that have inhibited M/W/DSBE
22 businesses from working with the City
23 and receiving the support they need to
24 build capacity.

25 We recognize the scale of

1 opportunity that the Biden
2 infrastructure legislation makes
3 possible to increase participation and
4 scale for M/W/DSBE. We also know,
5 however, that it is only by improving
6 City processes, providing technical
7 support and growing the pool of M/W/DBE
8 partners able to work with the City and
9 promoting a diverse workforce and we
10 stand any chance of taking full
11 advantage of the opportunity in front of
12 us.

13 With that goal in mind, a
14 working group involving Commerce,
15 Procurement, the Airport, Labor
16 Department and OTIS have been meeting
17 regularly since last year to formulate
18 recommendations to reform City processes
19 and to devote resources towards making
20 targeted and tangible improvements. My
21 office, the Office of the Chief
22 Administrative Officer, CAO for short,
23 and the Procurement Department are also
24 important partners promoting diversity,
25 equity and inclusion in City

1 contracting, leading efforts such as the
2 local business procurement initiative
3 which aims to incentivize local, small
4 and diverse business participation on
5 City contracts.

6 In addition, our agencies have
7 focused on improving the overall
8 contract process as well as streamlining
9 the vendor payment process. For
10 example, during the pandemic the CAO in
11 collaboration with the Office of
12 Innovation and Technology or OIT and the
13 Finance Department launched the vendor
14 payment portal, which provides vendors
15 with greater access to information
16 regarding their payments and invoices.

17 To date, over 6,000 invoices
18 have been paid with the streamlined
19 process. And I'm happy to report that
20 nearly 90 percent of all of our invoices
21 are paid within 30 days. While
22 improvements to the payment process
23 benefit all vendors, we understand that
24 the payment delays are especially
25 challenging for small and minority-owned

1 businesses and we're particularly
2 focused on removing that obstacle.
3 Diversity and inclusion in the City
4 contracting process are critical to
5 strengthening our local, small and
6 diverse businesses in helping our City
7 and region recover from the economic
8 impacts of COVID-19 as well as advancing
9 racial equity in our community. Thank
10 you, Councilmembers, for the opportunity
11 to testify before you today. I along
12 with my colleagues are available to
13 answer questions that you may have at
14 this time.

15 COUNCILMAN SQUILLA: Thank you,
16 Stephanie, for your testimony. And real
17 quick, and I know you said that OEO has
18 been short-staffed and hopefully we're
19 looking to increase that staffing as we
20 move forward, but as we work with people
21 who are doing the work and then counting
22 or addressing the issues of
23 participation, how do we ensure when we
24 receive the numbers that those numbers
25 that we're getting are accurate? Is

1 there a process that we follow?

2 MS. TIPTON: In terms of the
3 numbers that are included in the reports
4 that OEO issues?

5 COUNCILMAN SQUILLA: No, no.
6 The report we get from the contractors
7 or developers saying their participation
8 numbers, how do we receive that?

9 MS. TIPTON: Right. So there's
10 a number of things that are done to
11 ensure that contractors are complying.
12 First of all, OEO is a core partner with
13 departments in ensuring that there's
14 compliance with the participation ranges
15 that are set within the contract itself.
16 Procurement also works very closely with
17 departments to ensure the compliance of
18 contractors.

19 In some cases, if there is a
20 question around whether the information
21 being provided is accurate, those
22 matters do get referred to our Office of
23 Inspector General, and we work closely
24 with them to investigate any and all
25 instances where fraud might have

1 occurred as it relates to the
2 information that's being provided by
3 contractors.

4 COUNCILMAN SQUILLA: Have we
5 ever seen that or had that reviewed at
6 any time?

7 MS. TIPTON: Sure. I think
8 Monique, our Procurement Commissioner,
9 is on the line and she can probably
10 provide greater detail on some of the
11 matters related to debarment that we've
12 had more recently.

13 So, Monique, do you mind
14 joining?

15 MS. NESMITH-JOYNER: Yup, I'm
16 here. Thank you. Good morning,
17 everyone. Yes, we have seen instances
18 where there were fraudulent reporting
19 from primes and we have addressed those
20 issues as Stephanie indicated, the
21 Inspector General. Often times, also
22 our Chief Integrity Office is included
23 and we have gone through some
24 proceedings with those matters.

25 COUNCILMAN SQUILLA: And when

1 we find that as they are debarred, does
2 that mean they are no longer able to get
3 permits here in the City of
4 Philadelphia?

5 MS. NESMITH-JOYNER: What
6 happens is there is a period, typically
7 it's three years, where they are not
8 allowed to participate on any new City
9 projects. Depending on let's just say
10 if it was a large construction company
11 and they have an active project that
12 they're working on, we may allow them in
13 some instances to continue with that
14 project only, but they would not be
15 eligible to bid on any new City projects
16 for a period of three years.

17 COUNCILMAN SQUILLA: Okay.
18 Thank you. I have some additional
19 questions.

20 I know Councilmember Johnson
21 had some questions. Councilmember.

22 COUNCILMAN JOHNSON: Thank you
23 very much, Mr. Chair.

24 Stephanie, just a couple of
25 questions. I know my colleagues have

1 some questions as well. This goes
2 toward the 2020 Disparity Study where it
3 indicates that the City fell short of
4 its 35 percent goal of contracting to
5 disadvantaged businesses, only reaching
6 30 percent.

7 And so, I want to get an idea,
8 an explanation of not reaching those
9 targets, but also what recommendations
10 from that Disparity Study have we
11 actually implemented, because it seems
12 like the numbers have been stagnant over
13 several years. So can you give me an
14 overview from that aspect and then also,
15 the status of also actually hiring a
16 person to run OEO?

17 MS. TIPTON: Sure. So thank
18 you for raising that question,
19 Councilmember. I think FY20 and FY21
20 were somewhat challenging years due to
21 the pandemic which really impacted some
22 of the spending that we have seen with
23 the City. So while there -- in FY20
24 specifically. While there was a
25 decrease in the overall proportion or

1 percentage of spending with M/W/DSBE,
2 the overall dollar amount that was spent
3 did increase from FY19. But we
4 recognize it's still a lower proportion
5 in comparison to the total spend.

6 In FY21, while we haven't
7 issued the annual report at this point,
8 we do see that we're coming in around 31
9 percent, so there was a slight increase
10 from the prior fiscal year. However, we
11 saw a nearly \$200 million decrease in
12 the overall amount of contract spending
13 in FY21, which really resulted in pretty
14 historic lows in terms of the overall
15 participation across all of our
16 categories.

17 We did see slight increases
18 though, which are promising in Public
19 Works category in FY21. And I think
20 that's an area where we will continue to
21 see growth. Some of the things that can
22 potentially impact that is if we have
23 contracts, if we have a greater
24 proportion of the contracts that we're
25 doing that are federally funded, our

1 local ordinances don't always apply.
2 And so, that can sometimes impact the
3 participation on those contracts. But I
4 think the Airport has done tremendous
5 work, and they have a number of
6 federally-funded contracts, which I'm
7 sure Kathy can also speak to. And so,
8 that can also impact the participation
9 depending on the mix of federally-funded
10 contracts that we have or if we're
11 seeking federal reimbursement in some
12 cases.

13 And then also in terms of the
14 availability, sometimes the availability
15 of businesses and the types of services
16 or commodities they provide may not
17 always correlate to the things that we
18 may be purchasing in that particular
19 fiscal year generally. So I think those
20 are some of the things that can impact
21 it.

22 I do think as I mentioned in my
23 testimony that with sort of the historic
24 investment that we are seeing from the
25 federal government, we are really

1 looking at ways to improve the
2 participation and really leverage those
3 dollars to increase capacity and wealth
4 within Black and Brown businesses here
5 in the City. And Monique has been a
6 tremendous partner with our Office of
7 Transportation, Infrastructure and
8 Sustainability and Commerce and Airport
9 on really looking at ways for us to
10 improve processes to improve overall
11 access to our contracting opportunities
12 to all businesses.

13 COUNCILMAN JOHNSON: Can you
14 just clarify? Are you saying that when
15 there's a reduction in contracts, right,
16 in terms of the number of contracts,
17 that disadvantaged businesses are the
18 ones who will be significantly impacted?

19 MS. TIPTON: I'm not
20 necessarily saying there's a one-for-one
21 correlation there, but I think we did
22 see probably some of the lowest amount
23 of contracting spending overall for this
24 last year. So I think FY20 and FY21
25 were challenging years in a lot of ways

1 due to the pandemic and some of the
2 transitions that are happening within
3 OEO. And so, I think we're committed
4 looking forward on, A, building back the
5 capacity within OEO, but then also using
6 the IIJA dollars to leverage our ability
7 to better increase access to our
8 contracting opportunities. So we have
9 sort of (inaudible) to how we can
10 leverage those dollars and really
11 improve and grow participation in the
12 next fiscal year.

13 COUNCILMAN JOHNSON: Would you
14 know the status of hiring a person that
15 runs OEO, where we're at in that
16 process, as well as the person to run
17 Commerce as well?

18 MS. TIPTON: Definitely. I'm
19 going to turn that over to Dawn
20 Summerville who is the Deputy of
21 Commerce, and she can speak to some of
22 the hiring that's happening currently.

23 MS. SUMMERVILLE: Thank you,
24 Stephanie.

25 Good morning, Councilman

1 Johnson.

2 COUNCILMAN JOHNSON: Good
3 morning.

4 MS. SUMMERVILLE: Currently, as
5 Stephanie spoke to earlier in her
6 testimony, we have engaged in an
7 Advisory Board to support the OEO team
8 and the OEO staff. Currently, we are
9 going through the process of hiring and
10 looking for a new Deputy Director for
11 OEO. The job has been posted. There is
12 first rounds of review of CVs that we
13 have received. We're going through that
14 process, that's ongoing.

15 In addition to that role which
16 is very important for the unit is the
17 importance of looking for new staff
18 because we do have some vacancies within
19 OEO that must be filled. They are on
20 the ground doing the work, and we need
21 to have those positions filled as well.

22 As it relates to the search for
23 a Commerce Director, the Administration
24 is currently doing a search. That's
25 ongoing. Hopefully, we'll have someone

1 in both positions soon. Thank you.

2 COUNCILMAN JOHNSON: Thank you
3 very much.

4 Steph, I just had another
5 question and then I'm going to wrap up.
6 I'm always getting phone calls regarding
7 that particular area, so I do commend
8 the Administration for staying on top of
9 that part because that's another tricky
10 way to put small businesses out of
11 business because they can't make
12 payroll.

13 And something I also want to
14 zero in on, when you talk about
15 supporting smaller businesses, do we
16 reserve, right, any contracting
17 opportunities specifically for Black and
18 Brown small "disadvantaged businesses"?
19 That will be the first question.

20 And then the last question is
21 just from looking at the data, Rebuild,
22 right, and PHDC, Rebuild outperformed
23 pretty much every state agency when it
24 comes to diversity, inclusion in
25 contracting, right. And I think kudos

1 to the Mayor's team for making sure that
2 has taken place because that was a key
3 concern when we signed off on the
4 legislation. But PHDC has done the
5 same.

6 And so, what are they doing
7 differently, right, in terms of best
8 practices to allow them to move forward
9 and not us in other areas? And so,
10 those are the two questions that I have.

11 MS. TIPTON: Sure. I think in
12 terms of set-asides, if you will, for
13 small businesses, we don't do set-asides
14 necessarily. We do goal-setting on all
15 of our contracts. One area that we have
16 really honed in on through the Local
17 Business Purchasing Initiative is how we
18 can really streamline the process on
19 some of our initial onramps to being a
20 prime, how can we make that process
21 easier, especially for local small and
22 diverse businesses. And so, we've spent
23 a lot of effort over the last two years
24 at this point in streamlining not only
25 the application process for businesses,

1 but also the review and award process on
2 the part of the City. And the purpose
3 of that is really to incentivize us to
4 do more business with local and small
5 businesses in particular. And I think
6 we have seen some increases there around
7 spending, especially in small order
8 purchases. So we're pleased with that.
9 So that's one area.

10 I think you highlighted Rebuild
11 which has done tremendous work. One of
12 the programs that was pretty innovative
13 that I think we want to look to is
14 potentially expanding across the City is
15 the emerging vendors program. And so,
16 that was really an intensive process
17 where we provided capacity and support
18 to businesses that may not already be
19 certified, but over the course of a
20 number of years can get their
21 certification but can participate on
22 City contracts, and primes can get
23 credit for working for them. And I
24 think that has seen some really
25 tremendous success and something that I

1 think looking across City government is
2 something that we want to expand as
3 well.

4 I can't speak specifically to
5 PHDC, but those are just some areas that
6 I think I would want to highlight in
7 response to your questions.

8 COUNCILMAN JOHNSON: Thank you
9 very much, Stephanie.

10 That's all I have, Mr. --

11 MS. PADILLA: Good morning --

12 COUNCILMAN JOHNSON: -- Chair.

13 MS. PADILLA: Councilmember.

14 One of the things that we've been
15 working on at the airport with support
16 at your office was particularly for
17 Black- and Hispanic-owned businesses, we
18 have filed a waiver with the FAA that
19 would allow us to have a separate
20 subgoal for Black- and Hispanic-owned
21 businesses and their concessions. This
22 is the first such waiver that has been
23 submitted for the entire USDOT program,
24 and we're excited and hopeful that we'll
25 receive a positive response.

1 If we don't get a positive
2 response, they're going to have to tell
3 us what we need to do to correct the
4 program. We'll correct it and re-apply.

5 COUNCILMAN JOHNSON: Thank you,
6 Kathy, and thank you for your hard work
7 and dedication and working with my
8 office around this particular issue. I
9 had this in my notes for my next round,
10 but thank you. Chris Sample has also
11 been reporting back on the national
12 acknowledgment that you have received
13 for your hard work and your dedication
14 in addressing the issue of diversity and
15 inclusion in contracts. So thank you
16 and keep up the good work as well.

17 MS. PADILLA: Thank you,
18 Councilmember.

19 COUNCILMAN JOHNSON: You're
20 welcome.

21 That's all I have, Mr. Chair,
22 for this round.

23 COUNCILMAN SQUILLA: Thank you,
24 Kenyatta.

25 I know we have Councilmember

1 Domb next.

2 COUNCILMAN DOMB: Thank you,
3 Mr. Chair. And thank you, Councilman
4 Johnson, for this resolution.

5 And good morning, Stephanie. I
6 have three quick questions. One is when
7 you say we're paying on time, walk me
8 through that process. If I'm a
9 contractor and I submit a bill today,
10 when can I expect payment by?

11 MS. TIPTON: So according to
12 our most recent data, approximately 86
13 percent of our vouchers are reviewed and
14 approved in payment for under 30 days
15 and then another 25 percent of the
16 vouchers are reviewed and approved for
17 payment under 60 days.

18 So one of the things that we
19 launched during the pandemic, and I
20 suppose this is maybe a silver lining
21 with the pandemic, is that we launched
22 the vendor payment portal which really
23 shifted the submission of invoices by
24 contractors to an online portal. You
25 may know and I'm sure a lot of folks

1 know that prepandemic, many of our
2 invoices and still some of our invoices
3 are submitted by mail.

4 They get mailed in. They might
5 sit on someone's desk. They then get
6 copied. They might get sent to Finance
7 for processing and those delays and
8 those hand-offs can obviously cause the
9 invoice to get delayed in terms of
10 payment. And so, we have about 6,000
11 invoices to date that have been
12 processed through this new online
13 process through the vendor payment
14 portal.

15 And I think because of that, a
16 vendor can submit -- they register for
17 an account, they submit an invoice. An
18 automatic email then goes with the
19 invoice to the department, so directly
20 by email goes to the department, and
21 then they are able to process that
22 electronically through the remainder of
23 the process. So the shuffling of paper
24 and things like that is sort of
25 eliminated. And I think because of that

1 we have seen improvements in our overall
2 payment time for vendors. We would like
3 more vendors to use the process. And
4 we're encouraged by the number -- we
5 started slow, but we're encouraged by
6 the number of invoices at this point
7 that are getting paid through this
8 process.

9 COUNCILMAN DOMB: Are the
10 payment percentages by the City, are
11 they broken down by contractors and
12 which ones are minority contractors?

13 MS. TIPTON: So I don't have
14 that information. I can go back to my
15 team and see if it's able to be
16 disaggregated in that way. As you know,
17 we work with somewhat antiquated systems
18 so our reporting is not always the best
19 or what we would like it to be. But I
20 can certainly go back and see if we can
21 do some of that for you.

22 COUNCILMAN DOMB: Whatever we
23 can do. I know small businesses don't
24 have a big cash flow basically, so
25 whatever we can do to speed it up would

1 be helpful.

2 MS. TIPTON: Absolutely.

3 COUNCILMAN DOMB: The second
4 question I have is do we have any data
5 that shows on the minority-owned
6 businesses which ones are in
7 Philadelphia versus which ones are not?

8 MS. TIPTON: We do.

9 Unfortunately, I don't have that data
10 right at my fingertips. But, yes, we do
11 have a crosswalk between minority-owned
12 businesses and those that are local. We
13 do have a process through the
14 Procurement Department to certify
15 businesses as local business entities.
16 Depending on the type of contract, they
17 can either get a preference on their bid
18 by being a certified LBE or on
19 professional services contract, they can
20 access a more streamlined process up to
21 \$100,000, and the opportunity itself is
22 only open to local businesses. So we've
23 definitely seen that increase in
24 businesses that have registered as LBEs.
25 But if that is the data you're looking

1 for, we can certainly provide that
2 following today's hearing.

3 COUNCILMAN DOMB: Yeah, that
4 would be great. I'm just curious how
5 many of the businesses are in
6 Philadelphia versus not, and what we can
7 do to build the volume in Philadelphia.

8 MS. TIPTON: Sure.

9 COUNCILMAN DOMB: And the last
10 question really isn't a question. It
11 was a question, but it's for you. In a
12 perfect world if you could say to us
13 there's three things we need to do to
14 make this a whole lot better, what are
15 those three things?

16 MS. TIPTON: Sure. So I will
17 always get on my soapbox for supporting
18 our internal administrative offices. We
19 saw them really impacted pretty
20 significantly during the pandemic in
21 terms of not filling positions or
22 reducing staff. And when we bring in
23 investments like the IIJA dollars, we
24 also have to look at our internal
25 capacity to support that money, and

1 that's why I'm really pleased that is
2 part of our thinking with the IIJA
3 dollars. We're also looking at internal
4 capacity, so how many more staff do we
5 need to actually process and get
6 contracts out the door, what do we need
7 to do to provide greater capacity
8 internally to our departments in order
9 to do this properly. So resourcing for
10 staff is probably one area that I will
11 always advocate for. And it allows us
12 the ability to partner more closely with
13 departments to get the work done and to
14 do more sort of high value tasks like
15 outreach and working with vendors when
16 we do have the right complement of
17 staff.

18 The other thing I think is
19 always a challenge is access to capital.
20 I think we have bonding requirements, we
21 have insurance requirements. And as we
22 know, sometimes our payment processes
23 can take some time, although we're doing
24 better there. And so, vendors being
25 able to have the adequate cash flow, the

1 bonding capacity to really access some
2 of our opportunities, if I can waive a
3 magic wand, that would definitely be an
4 area as well that I would want to focus
5 on.

6 So just two things, not three
7 things. But I think those two things if
8 we could address those could have a
9 significant impact.

10 COUNCILMAN DOMB: Okay. Thank
11 you very much, Stephanie.

12 Thank you, Mr. Chair. Thank
13 you.

14 MS. TIPTON: Thank you.

15 COUNCILMAN SQUILLA: Thank you.
16 Councilmember Gauthier.

17 COUNCILWOMAN GAUTHIER: Thank
18 you, Mr. Chair. And thanks to
19 Councilmember Johnson for this important
20 conversation.

21 Stephanie, I heard you talk
22 earlier about the City having exceeded
23 30 percent for FY20 and '21 in terms of
24 minority and disadvantaged businesses
25 who receive contracts. Do we break that

1 down also by ethnicity in terms of Black
2 and Brown businesses? And if so, what
3 have we achieved there?

4 MS. TIPTON: Sure, we do. I
5 don't have the final reporting on that
6 for the FY21 report because we're still
7 working on it. But I do have -- just
8 give me a moment. We do have
9 information, I believe, in the FY20
10 report. Just give me a moment. I will
11 look that up for you.

12 Apologies, I'm not seeing it
13 right off the bat. But if you have a
14 question, hopefully at the end of your
15 next question, I can have that
16 information for you, but we do have it
17 broken down by ethnicity.

18 COUNCILWOMAN GAUTHIER: Okay.
19 I think it's important for us to note
20 that --

21 MS. SICKOUT: Good morning,
22 Councilmember --

23 MS. TIPTON: Oh, I'm sorry,
24 Nefertiri. Were you -- do you have it?

25 MS. SICKOUT: Sure --

1 MS. TIPTON: We're kind of
2 doing this by Committee. So, Nefertiri.

3 MS. SICKOUT: Hi. Good
4 morning. Nefertiri Sickout, Chief
5 Diversity, Equity and Inclusion Officer.

6 COUNCILWOMAN GAUTHIER: Hi.

7 MS. SICKOUT: Of the 30
8 percent (inaudible) --

9 COUNCILWOMAN GAUTHIER: I can't
10 hear Nefertiri.

11 COUNCILMAN SQUILLA: Yeah, you
12 broke up a little.

13 MS. SICKOUT: (Inaudible) --

14 COUNCILMAN SQUILLA: You're
15 going in and out, so if you can just --

16 MS. TIPTON: I think I do have
17 it. Sorry, I apologize. So I do have
18 it. So in FY20, the breakdown by
19 contracts is 39 percent for African
20 American businesses, 14 percent for
21 Asian American, 12 percent for Hispanic
22 American, 1 percent for Native American
23 and 34 percent for White female. And
24 then for FY20, it was 47 percent of the
25 spend that went to minority-owned

1 businesses was with African American
2 businesses; 15 percent Asian American; 9
3 percent Hispanic American; 1 percent
4 Native American; and 27 percent to White
5 female.

6 COUNCILWOMAN GAUTHIER: I think
7 I was more so looking for the percentage
8 in terms of total contracts. So sorry,
9 I asked you out of the 30 percent. What
10 I think I meant was out of total
11 contracts, what was the percentage to
12 Black-owned businesses, what was the
13 percentage to business owners who are
14 Latino? Do we know that?

15 MS. TIPTON: Understood. We
16 can get that. I don't have that data
17 right here, but we can certainly provide
18 it following the hearing. I have it
19 broken down by the 30 percent that we
20 spend, what proportion went to those
21 businesses, but we can definitely get
22 that for you.

23 COUNCILWOMAN GAUTHIER: Thank
24 you. I get the sense that in certain
25 areas like construction for example, but

1 I'm sure this is the case in other
2 areas, that we still find ourselves in a
3 place where there's this conversation
4 about there not being enough
5 minority-owned businesses to really get
6 us to where we want to be in terms of
7 our goal, there not being enough in the
8 construction industry for us to spend as
9 much as we'd like. But this feels like
10 a conversation that has stretched over
11 years and years and years.

12 So I'm wondering what
13 proactively do we do to help
14 particularly Black and Brown residents
15 to start and grow businesses in these
16 areas so that at some point this
17 conversation about not having enough
18 businesses to contract with becomes null
19 and void?

20 MS. TIPTON: So I think I might
21 have Kathy speak to this because I do
22 think that the Airport has seen a
23 tremendous success in this area, so
24 highlighting some of the work that they
25 did I think would be really good to

1 share as part of this.

2 MS. PADILLA: Hi. Some of the
3 efforts that we've been initiating most
4 recently are a micro business program
5 for our concessions to help some of the
6 smaller ones to get their foot into the
7 airport and grow. We've looked at
8 barriers to participation in some of our
9 programs and we've put in to the Airport
10 Cooperative Research program two study
11 proposals which were funded to the tune
12 of \$400,000 to look at how to better
13 remove barriers in those federal
14 regulations and more generally, for
15 participation for firms in our projects.

16 I mentioned our waiver
17 application. Additionally, we also
18 partnered with -- Deatrice Isaac and I
19 are Co-chairs of the Chamber of Commerce
20 Diverse Contracting Initiative, and
21 that's sort of taking the global look of
22 the region of barriers, what are the
23 participation for all of the major
24 players in the region, what are the
25 impediments for firms being able to

1 grow, and that's specifically focused on
2 Black- and Brown-owned businesses.

3 COUNCILWOMAN GAUTHIER: Thank
4 you. I appreciate that the Airport is
5 doing so many innovative things and that
6 we've also seen success in areas of the
7 City like Rebuild and with PHDC. Do we
8 incorporate these strategies across the
9 City as it relates to contracts and what
10 are our plans to proactively grow the
11 amount of Black and Brown businesses
12 with whom we can contract?

13 MS. TIPTON: Sure. So I think
14 for us, I mentioned before Rebuild
15 Emerging Vendors Program. There was a
16 lot of resourcing put behind
17 capacity-building and really growing
18 businesses in order to have them
19 participate in Rebuild programs. That
20 will take an investment of resources to
21 expand that city-wide, but I think that
22 is certainly a really promising program
23 that we saw tremendous success with
24 Rebuild in terms of the participation.

25 I believe the availability

1 study that we did does support that
2 there is enough businesses available to
3 do work, and we did see a slight
4 increase, about a 6 percent increase on
5 participation on our Public Works
6 contracts in FY21. And so, I think
7 those are two areas where we know
8 there's potential.

9 And I think Karen also has some
10 good work to share in terms of the
11 business supports that Commerce is
12 generally providing to certain types of
13 business. I will also have Karen speak
14 to that as well.

15 MS. FEGLEY: Hi, everyone.
16 Karen Fegley, Deputy Commerce Director.
17 You're absolutely right, that we need to
18 support businesses sort of holistically.
19 And to really grow Black and Brown
20 businesses in our City, we have to hit
21 them with we talk about the four Cs. So
22 this hearing in particular we're talking
23 about contracts as a real opportunity to
24 grow businesses. But in order to get
25 those contracts, businesses need

1 capacity, right. They need all the
2 supports, all the back office functions
3 and all of that. And so, we have a
4 number of programs.

5 Commerce has always maintained
6 a number of programs. Through our
7 Business Technical Assistance Program,
8 we fund a number of nonprofits in the
9 City that provide those services. We
10 talk about capital. They need access to
11 capital. Otherwise, they can't hire
12 people. They can't go after the
13 contracts. And so, we are working
14 closely with the CDFIs in the City.

15 Philly is really fortunate. I
16 think we have 11 Community Development
17 Financial Institutions. One of the
18 silver linings of the pandemic is they
19 sort of come together as this coalition,
20 and we're looking to support more funds
21 into those organizations. As Commerce,
22 we provide them with some operating
23 dollars. So they get the lending
24 dollars from banks and so forth, we get
25 them the operating dollars so they have

1 the staff to really do the hand-holding
2 to help the businesses get loans.

3 So contracts, capacity, capital
4 and connections. They also need --
5 businesses need networks. This is
6 really how you do this stuff. So you
7 get access to tips and trades. I just
8 want to mention too that last year we
9 completed in partnership with PIDC and
10 United Way, the Philadelphia Equitable
11 Entrepreneurship Ecosystem Assessment
12 and Strategy. It is a mouthful, but it
13 was really about just laying all of this
14 out and figuring out how we can provide
15 a continuum of services to help Black
16 and Brown businesses start and to help
17 them grow, right, because we actually
18 have a lot of businesses starting, but
19 we need more help getting them to grow.

20 And so, it's a way in bringing
21 them together all the partners in the
22 City and helping us work together
23 instead of competing over little pots of
24 money, but actually working together to
25 bring in more dollars so we can really

1 do a better job at that.

2 COUNCILWOMAN GAUTHIER: Thank
3 you.

4 Two more questions, if that's
5 okay. Do we ever penalize or hold
6 accountable primes who repeatedly don't
7 meet their goals?

8 MS. TIPTON: Sure, we do. I
9 might ask Monique just to speak a little
10 bit about that. So I think Procurement
11 has done some great work in the area of
12 vendor performance in managing that and
13 just how we hold vendors accountable.
14 And just for your information before
15 Monique speaks, we do have an internal
16 system called B2Gnow that all
17 departments have access to, that OEO
18 also supports, that really is our
19 mechanism for monitoring compliance.
20 And so, we do rely on departments to do
21 that. So I think also working closely
22 with departments to build some of their
23 capacity to managing that and also
24 reporting issues to OEO and Procurement
25 is also important.

1 So I'll have just Monique speak
2 a little bit to how we're holding
3 contractors accountable. Sorry.

4 MS. NESMITH-JOYNER: Yes. Good
5 morning again. So to Stephanie's point,
6 vendor performance is something that we
7 pay very close attention to. We have a
8 vendor performance process that is
9 embedded on the procurement side and it
10 is where departments provide information
11 about their experience over the course
12 of a said contract term with the vendor.

13 If there are some questionable
14 performance issues, we work with the
15 department in conjunction with OEO and
16 any other partner agency that needs to
17 be involved and work with the department
18 to work with that vendor to either bring
19 up their performance standard, whatever
20 that may be, and/or support them in
21 reaching their goal. If they've had an
22 issue or a setback with their minority-,
23 women- or disabled-owned business
24 partner, then we work with OEO to seek
25 additional resourcing for them.

1 OEO, if it is in fact a vendor
2 that they are very familiar with, they
3 do outreach to that minority vendor as
4 well to see if there are capacity issues
5 or if there are things that the City can
6 support them in or just walk them
7 through to ensure that they don't fall
8 behind. So we do keep the primes
9 accountable and work with the
10 departments on professional services as
11 well as procurements.

12 COUNCILWOMAN GAUTHIER: Thank
13 you.

14 And then lastly, Stephanie, I
15 think I heard you mention that when we
16 get federal funding sometimes the
17 federal government's goals are different
18 than ours, which impedes our ability to
19 reach more ambitious goals. Are we
20 having or do we need to have a
21 conversation with anyone at the federal
22 level about that since we expect to be
23 receiving many more federal funds?

24 MS. TIPTON: Kathy, do you want
25 to speak a little bit to that because I

1 know that comes up quite a bit at the
2 airport?

3 MS. PADILLA: Yes. So there
4 are different ways that those funds
5 devolved through to the City agencies.
6 The Airport is a direct recipient like
7 SEPTA and PennDOT, so we have full
8 responsibility for our own goal-setting
9 on those projects and for the
10 achievements.

11 Some of the other City agencies
12 such as OTIS, Streets, Public Property
13 are subrecipients most usually and they
14 have to follow the programs that are set
15 up by the directors of these agencies.
16 For Streets, most of those would flow
17 through PennDOT and the PennDOT goal
18 applies. So having those conversations
19 would probably start with PennDOT for
20 subrecipient agencies. For Airport
21 direct-funded recipient projects, it
22 would start with me.

23 COUNCILWOMAN GAUTHIER: Okay.
24 Are we in active conversation about
25 there needing to be changes on the goals

1 set on the contracts that are coming to
2 the City and where we are a
3 subrecipient?

4 MS. PADILLA: I know that the
5 working group that Stephanie mentioned
6 earlier is looking at some of those
7 issues. I think it gets pretty
8 complicated because if you're a
9 subrecipient through PennDOT, they can't
10 have a separate goal regionally. They
11 have to have a statewide goal, and
12 that's what's going to apply to your
13 contract-level goals, so it's not going
14 to be an easy lift.

15 At the Airport, just to give an
16 example of what the different goals are,
17 our OEO goal for the department is 30
18 percent. We achieved 36 percent this
19 year so far. Our DBE under the federal
20 program goal is 17.9 percent. We're at
21 about that so far this year. Our ACDBE
22 concessions federal goal is 21 percent.
23 We're achieving about 44 percent so far
24 this year.

25 COUNCILWOMAN GAUTHIER: Okay.

1 Thank you so much. No more questions.

2 COUNCILMAN SQUILLA: Thank you,
3 Councilmember.

4 Councilmember Green.

5 COUNCILMAN GREEN: Thank you,
6 Mr. Chair. And once again, I want to
7 thank Councilmember Johnson for having
8 this conversation.

9 A number of people on this
10 call, I've worked very closely with.
11 Ms. Tipton, I just wanted to echo your
12 comment to the access to credit. That's
13 one of the big issues that I've seen
14 historically that from a public sector
15 we haven't done what we need to do to
16 provide some better access to credit and
17 use public dollars as a way to address
18 that issue in our City. That was really
19 the motivation of my public banking
20 initiative legislation.

21 In fact, I was just talking to
22 an African American CEO two weeks ago
23 who has a contract with the City and he
24 has not been paid by the City even
25 though he's been providing the services

1 under this contract since October, has
2 not been paid. There's been an issue
3 with the Revenue Department, which we
4 think has now -- we hope has now been
5 resolved. But because he was in that
6 delay between providing the goods and
7 services from one department, not being
8 paid by a different department, he went
9 to his bank which he's had a 17-year
10 relationship and asked for an increase
11 on his line of credit to help him with
12 his cash flow. He's never had
13 delinquencies. He doesn't have any tax
14 issues, but they declined his increase.

15 In fact, the bank he was
16 working with was concerned that based on
17 the scoring he received on a denial, he
18 felt we needed to remove that
19 application because they may mess with
20 his current line of credit. And so, he
21 was at some point looking to do to an
22 alternative financing entity just to get
23 the dollars he needed to cover the cash
24 flow for a contract that he has with the
25 City, but not being paid. So the reason

1 why I say that credit is a very
2 important issue is because it's one of
3 the things that's hurting so many of the
4 Black and Brown businesses in our City.

5 And, Ms. Tipton, I wanted to
6 get some perspective on where are we
7 regarding Local Business Purchase
8 Initiative and best value and how those
9 initiatives are helping to address the
10 issues that Councilmember Johnson has
11 raised through this hearing.

12 MS. TIPTON: Sure. I will have
13 Monique speak some to that.

14 Monique.

15 MS. NESMITH-JOYNER: Yup. Good
16 after -- I'm sorry. I keep wanting to
17 say good afternoon, but good morning
18 again. So I'll speak to best value
19 first. Best value has been a
20 substantial vehicle for the City of
21 Philadelphia and in my three years in
22 this seat. There are requirements for
23 participation goals and local goals to
24 be set on all best values. It is a
25 point in the justification document

1 prior to a best value even being let out
2 on the street.

3 So I do review that intensely.
4 The justification document comes to me.
5 If I have questions, I definitely work
6 back and forth with the department and
7 OEO in particular to ensure that the
8 goals are appropriate, that everything
9 has gone through OEO and that the ranges
10 have been set appropriately as well as
11 the local participation goal. So we
12 have certainly seen minority-, women-
13 and disabled-owned spend as well as a
14 significant amount of local spend
15 through best value, so we do have data
16 for that.

17 And in terms of LBPI, what
18 we've done with the LBPI for the
19 guidance document and the regulation
20 that was put forth is there is a
21 requirement for solicitation of
22 minority, women and bus -- minority,
23 disabled and small businesses as well as
24 LBTQ businesses for each solicitation at
25 each level at the micro purchase level,

1 which is below 35,000, the SOP level
2 which is between 35,000 and 78,000, and
3 then that local set-aside is from 78,000
4 to 103,000, so there are requirements
5 for each category.

6 COUNCILMAN GREEN: So as a
7 follow-up to that information,
8 Ms. Nesmith-Joyner, if you can provide
9 an update to the Committee regarding
10 where we are regarding LBPI and best
11 value, I think it's very important. I
12 guess as I'm thinking about the
13 witnesses here and I know we have both
14 Kathy Padilla from the airport as well
15 as Leslie Richards, we are now looking
16 on implementation regarding the
17 infrastructure bill and how we can
18 provide that as a vehicle, that \$1
19 trillion bill in providing opportunities
20 for businesses in the City of
21 Philadelphia, especially Black and Brown
22 businesses.

23 I guess one of my real
24 concerns, and this will be an unfair
25 question but this is why we're in this

1 situation and why we have hearings to
2 get information even though they may be
3 challenging, we have a 44 percent
4 African American population, but only 6
5 percent of the businesses with employees
6 are owned by African Americans. We have
7 a 15 percent Latinx population, but only
8 4 percent of businesses that are owned
9 by people from the Latin Diaspora of
10 businesses with employees in the City.

11 And so, the question for those
12 business owners and when they look at
13 the infrastructure bill and they look at
14 the fact -- and I think Ms. Tipton you
15 gave some perspective on reduction to
16 spending regarding Black and Brown
17 business in the City of Philadelphia --
18 what type of insurance can we really
19 give them that they will be really able
20 to participate in these programs, in
21 these initiatives?

22 This is a conversation I've
23 been having with some of my colleagues
24 in the National League of Cities and
25 some other organizations around the

1 country, that for our constituents who
2 look at, well, thank you, Councilmember
3 Green, for pushing for the
4 infrastructure bill, but how am I going
5 to participate when issues like the
6 situation I just talked about earlier
7 keep happening?

8 And so, I want you to answer
9 that question and how will I give that
10 perspective on a track record which even
11 more recently has not been more
12 favorable in Black and Brown businesses?

13 MS. NESMITH-JOYNER: So one of
14 the things -- we've been doing a number
15 of things. There are a couple of
16 committees that are focused
17 specifically -- one is specifically
18 focused on workforce diversity as well
19 as supplier diversity. And in those
20 committees, we're having conversation
21 about looking at surveys, looking at
22 feedback that we have obtained through a
23 number of different vehicles and
24 engagement with that vendor community to
25 understand what the challenges are from

1 their perspective, and we're looking at
2 what improvements have we made, right,
3 and how can we champion those
4 improvements, how can we let this vendor
5 community know that the City of
6 Philadelphia is still very open to
7 welcoming Black and Brown businesses,
8 and that we are preparing ourselves to
9 prepare these businesses to come in and
10 take advantage and access these contract
11 opportunities through IIJA.

12 We're also looking and working
13 very closely with the Rebuild. Rebuild
14 initially was not a part of our work
15 group, but we have since welcomed them
16 in so we can learn specifically about
17 the Emerging Vendor Program, how can we
18 utilize that program as a pipeline to
19 bring the vendors, I believe it's 45 or
20 so vendors in the Emerging Vendor
21 Program and I think there may be 90 --
22 and I may be flipping the numbers --
23 vendors that are in the Rebuild Ready,
24 but how can we utilize both of those
25 initiatives as a pipeline to bring these

1 same Black and Brown businesses into the
2 fold.

3 Many of these businesses are
4 small construction firms that are
5 working on playgrounds, all of the
6 Rebuild projects, so how can we again
7 bring them in, how can we provide them
8 with the additional assistance. For
9 those who are in the Rebuild Ready
10 program, how can we get them that access
11 to capital, what can we do.

12 We're looking at what other
13 cities have done, other programs in
14 other cities, Kansas City in particular
15 has done to create access to capital and
16 how can we bring that idea to the City,
17 to the Administration to create a
18 program, if you will, for Black and
19 Brown businesses who have difficulty
20 gaining access to capital.

21 So on the workforce side, again
22 we're also working with Philadelphia
23 Works to identify apprenticeship
24 programs to identify what populations
25 would best fit into those programs in

1 terms of, you know, should we be working
2 with the School District to bring high
3 school students and should we be looking
4 at some of the technical institutions to
5 begin to partner with them to prepare
6 their upcoming graduates to come into
7 the workforce, and again gain
8 employment, gainful employment based on
9 these incoming IIJA dollars.

10 We're also focused on making
11 this sustainable. We don't want this to
12 go away in five years when IIJA goes
13 away, but how can we create sustainable
14 programs.

15 COUNCILMAN GREEN: Madam
16 Procurement Commissioner, thank you for
17 that work and that background
18 information, and I commend the work that
19 you do, I commend the work that
20 Ms. Tipton has done as well as Karen
21 Fegley. I have worked with all of you.

22 But I have a question: When
23 was the last time any of you met with
24 the Mayor regarding any of these issues?

25 MS. NESMITH-JOYNER: We

1 actually had an Economic Opportunity
2 meeting. I want to say it was in
3 December. I want to say it was in
4 December where we did review some data
5 that was hard to swallow, I'll be
6 honest, for us as well as for the Mayor.
7 So we do have his attention there.

8 Nefertiri, I'm not sure if you
9 wanted to add anything to that.

10 COUNCILMAN GREEN: And prior to
11 December, when was the last time -- you
12 said Economic Opportunity cabinet. So
13 prior to December, when was the last
14 time you met?

15 MS. NESMITH-JOYNER: It is a
16 quarterly meeting, so it's every three
17 months.

18 COUNCILMAN GREEN: Every three
19 months with the Mayor?

20 MS. NESMITH-JOYNER: Yes, with
21 the Mayor or his designee.

22 COUNCILMAN GREEN: You said
23 with the Mayor or his designee --

24 MS. SICKOUT: Councilman Green.
25 I'm sorry, Councilmember Green. It's

1 with the Mayor. We have a quarterly
2 Economic Opportunity Review Committee
3 and the Mayor attends. This is
4 something that we establish going
5 forward because we need the Mayor there
6 and the Mayor is glad to attend in terms
7 of really getting the support to
8 leverage this work within City
9 government and across City government,
10 so having the Mayor's presence and his
11 ear and support and he's completely
12 engaged in this work.

13 The one thing that I would add
14 on to what Stephanie and Monique shared
15 about some of the barriers is also
16 helping businesses be able to navigate
17 the procurement process. And so, when
18 we see these and we anticipate these
19 dollars, without the federal dollars I
20 think it can be complicated and complex
21 in navigating the procurement processes.
22 And so, now that we're going to have an
23 influx of dollars, we also need to make
24 sure that the businesses receive the
25 information and respond to it and bid

1 competitively even for those businesses
2 who are smaller and don't have all of
3 that back office support. So that's
4 another key area that we need to attend
5 to, to make sure that these funds are
6 received and taken advantage of by our
7 diverse business owners.

8 COUNCILMAN GREEN: Well, I want
9 to thank you for that response and
10 provided information. I guess from my
11 perspective having fought for additional
12 dollars for Commerce, when you think
13 that the pandemic was a global health
14 emergency, it was also an economic
15 crisis in the number of Black and Brown
16 businesses that closed
17 disproportionately to majority-owned
18 businesses and the Commerce Department's
19 budget was basically drastically
20 reduced.

21 Ms. Fegley talked about the
22 CDFI network. And when I see other
23 counties like Erie, Montgomery and other
24 counties around the Commonwealth and I
25 know this through my role as past

1 President of Pennsylvania Municipal
2 League, and those counties put
3 significantly more dollars into their
4 budgets to help small businesses and we
5 really basically have to beg to get that
6 done at the City of Philadelphia just
7 really creates a concern, especially in
8 how we're providing resources for Black
9 and Brown businesses when we have such a
10 small percentage of businesses that are
11 owned by individuals from those
12 communities with employees.

13 So if we're ever going to
14 address the 25 percent poverty issue or
15 address the 562 homicides we've had in
16 the City of Philadelphia, all of these
17 issues are interconnected. And unless
18 we're going to make a real commitment in
19 privatization to growing Black and Brown
20 businesses and not do things in silos,
21 we're going to continue to have these
22 issues.

23 Thank you, Mr. Chair.

24 COUNCILMAN SQUILLA: Thank you,
25 Councilmember.

1 Councilmember Gilmore

2 Richardson.

3 COUNCILWOMAN GILMORE

4 RICHARDSON: Thank you. Thank you so
5 much, Mr. Chair. And thank you to my
6 colleague Councilmember Kenyatta Johnson
7 for this very important hearing.

8 And particularly, I wanted to
9 focus on a couple of things starting
10 with the Local Bidding Preference
11 Initiative, which was legislation that I
12 had worked on as a legislative aide
13 working under Councilmember Blondell
14 Reynolds Brown.

15 And so, Commissioner Nesmith-
16 Joyner, you had talked about the
17 preference related to the micro
18 purchasing which is under \$35,000; SOP,
19 35,000 to 78,000; and local 78,000 to
20 103,000. I remember for a specific
21 category years ago there was a list of
22 minority vendors that the City could
23 choose from. I think it was relative to
24 landscaping or another industry. Are
25 you familiar with the list that I'm

1 referring to and does that still exist?

2 MS. NESMITH-JOYNER: I think
3 you may be referring to the registry,
4 the OEO registry which lists minority-,
5 women- and disabled-owned businesses.
6 Yes, that still exists.

7 COUNCILWOMAN GILMORE

8 RICHARDSON: What's the bid amount for
9 contracts where you would just reach out
10 to that particular registry or group?

11 MS. NESMITH-JOYNER: So that's
12 required across all contract amounts if
13 there's no -- we don't have a floor or a
14 ceiling, to be honest. You're supposed
15 to solicit businesses from each category
16 for all contract amounts.

17 COUNCILWOMAN GILMORE

18 RICHARDSON: And --

19 MS. TIPTON: Can I just also
20 add there. One thing, we had had a
21 similar requirement previously. One of
22 the things we did do in that last year
23 is OEO is actually now an approver of
24 the contracts. So before the contract
25 can even be awarded, OEO reviews to

1 confirm that a solicitation happened and
2 that it satisfies that requirement.

3 So we kind of were a little bit
4 on the honor system with departments I
5 think previously, but now having that
6 sort of extra compliance focus with OEO
7 in the work flow, we now actually verify
8 and can hold the contract from moving
9 forward if that hasn't been met on the
10 contract.

11 COUNCILWOMAN GILMORE

12 RICHARDSON: Okay. So you've added an
13 additional layer specifically for
14 department heads before they can move on
15 in the process. Because I think the
16 overall concern is that at the end of
17 the day, OEO and Procurement can do
18 their part, but it's ultimately up to
19 each individual department to go through
20 their specific contracts. And I think
21 that's where we hit all of the hiccups
22 because typically they're going to
23 legacy vendors and legacy contracts,
24 which leads me into my next question
25 relative to the infrastructure package.

1 We just had a briefing with
2 Congressman Evans and our workforce
3 development providers. You all know
4 that I've really worked with our
5 Commerce Department ensuring that we
6 have a Workforce Development Unit after
7 the department was eliminated after the
8 COVID cuts. We work closely with Phila
9 Works and others just to try to prepare
10 our providers and our businesses for the
11 impending infrastructure dollars that
12 will be coming to the City of
13 Philadelphia.

14 And so, my concern is when we
15 were at the onset of COVID-19 and we
16 were dealing with an influx of federal
17 dollars that some of in particular
18 health dollars related to the actual
19 pandemic were given to what we could
20 call legacy vendors without a real
21 process for other businesses to be
22 involved as determined by that specific
23 department.

24 So what will be different this
25 time around from an OEO and a City

1 contracting perspective to ensure that
2 we are offering these opportunities to
3 everyone and not just legacy vendors?

4 MS. NESMITH-JOYNER: So even
5 in -- and thank you for that question.
6 Even in COVID we did realize to your
7 point that legacy vendors were being
8 solicited and provided with
9 opportunities that were not available to
10 all vendors. So what we did was we put
11 a process in place by which no emergent
12 contract -- at that time there was a
13 declaration, an emergency declaration in
14 place, so we had an emergent contracting
15 process.

16 So what we did was we
17 unfortunately had to add a layer where
18 no emergent contract would go forth
19 without review from myself, my
20 colleagues in the Law Department,
21 colleagues in our Contract Legislation
22 Unit as well as OEO, and we would review
23 all of the scope of work and what the
24 ask was. In some instances, OEO would
25 identify minority-, women- or

1 disabled-owned businesses that could
2 participate.

3 We also made an effort to
4 research if local businesses could
5 participate, and those contracts would
6 not move forward. We were the secondary
7 level of approval in that process, and
8 the contracts would not move forward
9 until we were satisfied. So we've
10 embedded that, as Stephanie mentioned,
11 into our normal process now on the
12 professional services side, and we also
13 have those processes embedded over for
14 procurement.

15 MS. PADILLA: As a department,
16 we've had a number of outreach events
17 this year and the year before. We've
18 specifically targeted certified firms
19 that are not --

20 COUNCILMAN SQUILLA: Kathleen.

21 MS. PADILLA: Yes.

22 COUNCILMAN SQUILLA: Kathleen,
23 before you speak, just state your name
24 for the record for the transcription.

25 MS. PADILLA: Thank you.

1 Kathleen Padilla and I'm the Executive
2 Director of Aviation for Diversity and
3 Inclusion. And if I could just
4 reiterate what I said, we've had
5 numerous outreach events, small business
6 roundtables, including our Capital
7 Development Chief to outreach to firms
8 that have not worked at the airport
9 previously specifically.

10 COUNCILWOMAN GILMORE

11 RICHARDSON: Okay. Thank you for that
12 response.

13 I just wanted to go back,
14 Commissioner Nesmith-Joyner, relative to
15 what you call that second layer of
16 review, specifically from Procurement.
17 Again, my concern is that we could be in
18 a circumstance where when the
19 infrastructure dollars technically hit
20 Philadelphia, we could still technically
21 be under the COVID emergency, so that is
22 something that we have to think about as
23 we move forward in the process in
24 addition to that second level of review.

25 There needs to be something

1 else put in place for each of the
2 departments, maybe a check-off list or
3 something that we can do on our side to
4 ensure that an overall review has
5 happened and not just looking at a list
6 of legacy vendors, which is why I asked
7 the question at the beginning because I
8 know there was a list that existed
9 somewhere for specific industries. It
10 could have been landscaping or others or
11 it could have been paper and supplies,
12 but as long as the contract was under a
13 certain amount, they looked at just the
14 list of minority vendors that could
15 supply that particular need. So again,
16 I'll move forward and I will follow up
17 with some additional questions on that.
18 But I will move forward to my last
19 question because I heard you bring up
20 workforce and supplier diversity and
21 workforce development.

22 And I think one thing that I'm
23 hearing from business owners that I'm
24 speaking to is they want to know there's
25 a highly skilled workforce out there for

1 them in order for them to adequately
2 operate their businesses here in
3 Philadelphia, and that's outside of
4 those who are sole proprietors, which we
5 know is another challenge.

6 So you mentioned
7 apprenticeships. And so, what are we
8 doing from the City's perspective to
9 offer an apprenticeship style
10 opportunity to small, local and minority
11 business owners so that they could
12 increase their scale and ability to do
13 business with the City separate from the
14 work we know that is ongoing with the
15 School District, of which I am
16 continuing to work with them on ensuring
17 that we're looking at the labor market
18 forecast and aligning some of our CTE
19 programs to the life sciences industry
20 and some of the jobs we know that are
21 coming to Philadelphia. But what are we
22 doing from a City side to provide an
23 apprenticeship style program for small
24 and local minority businesses?

25 MS. NESMITH-JOYNER: I would

1 have to ask Commerce to step in. My
2 knowledge base around it is what we're
3 doing and thinking of specifically as it
4 relates to our IIJA, but that is not my
5 wheelhouse. And I'm not sure that -- I
6 know Heloise Hughes oversees workforce
7 in the City, and I'm not sure if she's
8 on this call.

9 MS. FEGLEY: Hi, everyone.

10 Karen Fegley from the Commerce
11 Department. Heloise Jettison is not --
12 she's actually I believe listening in,
13 but we don't have her dialed into the
14 call to speak today. She and all of us
15 in Commerce leadership have been
16 involved in these meetings and certainly
17 are in the planning stages of taking
18 existing programs we have to the next
19 level to support exactly what you're
20 talking about. But I'll have to get
21 back to you on those detailed plans as
22 they're coming together.

23 COUNCILWOMAN GILMORE

24 RICHARDSON: Okay. Well, I look
25 forward -- how are you, Karen. I look

1 forward to continuing to work with the
2 Commerce Department on ensuring that we
3 are doing all we can to bring more
4 businesses into the fold, but also
5 helping them navigate the thorny waters
6 of doing business with the City and the
7 arduous procurement process that we have
8 in place. Those are all what we call
9 barriers to local and minority
10 businesses even wanting to get into the
11 arena.

12 So we have to ensure that we
13 are eliminating those barriers so that
14 we can have more minority businesses in
15 the fold, which I know will help us hire
16 more minority Philadelphians into these
17 roles at these said businesses therefore
18 helping all of the other challenges we
19 know that we face here in the City of
20 Philadelphia.

21 And, Kathleen, I did not want
22 to leave this call without acknowledging
23 you and the work down at the airport. I
24 will say that I know you all are doing
25 all you can to try to increase minority

1 participation, but we all still have a
2 lot of work to do. I still hear from
3 minority vendors that just want to have
4 an opportunity, are concerned about the
5 selection of organizations that are not
6 here or located or based in the City of
7 Philadelphia for some of the work,
8 particularly down at the airport.

9 So I know we all will continue
10 to work together to do all we can to
11 ensure we have more local and minority
12 businesses in the fold at all of the
13 City agencies and not just one. So
14 thank you very, very much. Thank you
15 for the opportunity.

16 And lastly, Mr. Chair, I just
17 wanted to thank all the departments for
18 responding to the in-depth questions I
19 had after the last budget cycle. We did
20 receive the report back. It's over
21 1,000 pages, so it's taking us some time
22 to get through it.

23 But I will tell you this, when
24 I asked for the breakdown of
25 specifically Black-owned businesses or

1 Black female-owned businesses, a lot of
2 the categories within that 1,000-page
3 report that I received back from all of
4 your departments was 0. So we say
5 minority in a city like Philadelphia
6 where we're 44 percent African American,
7 and we're using the word minority, is
8 typically not African Americans who are
9 receiving these opportunities, whether
10 they're male or female. A lot of those
11 categories had straight 0s all the way
12 down. And I look forward to discussing
13 that with all of you in the budget
14 process. Because it is 1,000 pages in
15 the report, it is taking us some time to
16 get through it. But some of those
17 numbers are also abysmal. So I just
18 want to leave each and every one of you
19 with that.

20 So have a good day, Mr. Chair.
21 I look forward to continuing this
22 conversation. And again, thank you to
23 my colleague Councilmember Kenyatta
24 Johnson for all of your work in this
25 area. Thank you.

1 COUNCILMAN SQUILLA: Thank you,
2 Councilmember. I appreciate that.

3 Since there's no additional
4 questions, Mr. McMonagle, can you please
5 call the second panel for Resolution
6 210966.

7 THE CLERK: Yes. Can we please
8 have Leslie Richards, Andy Abdallah,
9 Stephen Zook, Eric Watkins and Anne
10 Bovaird Nevins all teed up, please.

11 COUNCILMAN SQUILLA: Good
12 morning. If you're all connected, thank
13 you for being here. Just as you start
14 as called, just state your name for the
15 record and then proceed. I guess we'll
16 start first with Leslie.

17 MS. RICHARDS: Sure. Thank
18 you. Appreciate this opportunity and
19 I've enjoyed the conversation so far.
20 So good morning, Chairman Squilla,
21 Vice-Chairman Domb, members of the
22 Committee on Commerce and Economic
23 Development. I want to thank
24 Transportation Chairman Kenyatta Johnson
25 for bringing this resolution to our

1 attention today.

2 And I am Leslie Richards, the
3 CEO and General Manager of the
4 Southeastern Pennsylvania Transportation
5 Authority, SEPTA. And I'm pleased to be
6 joined by SEPTA's Assistant General
7 Manager for Procurement, Supply Chain
8 and Disadvantaged Business Enterprises
9 Andy Abdallah. Thank you for holding
10 this hearing for the chance to provide
11 an overview of SEPTA's Disadvantaged
12 Business Enterprise Program and our
13 efforts to promote diversity, equity and
14 inclusion in our procurement activities.

15 As PennDOT's secretary in 2018,
16 we conducted a study to measure
17 disparities between the participation
18 and availability of minority- and women-
19 owned businesses in PennDOT contracts.
20 Results of the study helped to produce
21 recommendation and action items that
22 have benefited the transportation
23 industry in Pennsylvania and helped to
24 inform diversity, equity and inclusion
25 initiatives that we have advanced here

1 during my tenure as SEPTA's CEO.

2 In fact, many of you already
3 know because I worked with many of you
4 on that. We borrowed from SEPTA and now
5 SEPTA is borrowing from PennDOT as well,
6 and we worked well together on this
7 goal. SEPTA's Board and leadership
8 share the City's goal of achieving an
9 equitable and inclusive recovery, and we
10 are committed to expanding business
11 opportunities for local Black-, Brown-,
12 small-, disadvantaged-, minority- and
13 women-owned companies.

14 Following the passage of
15 Pennsylvania Act 89 of 2013, the SEPTA
16 Board expanded federal DBE goals and
17 procedures to include all SEPTA
18 procurements greater than \$100,000.
19 This is regardless of funding source and
20 is able to grow opportunities for small
21 and disadvantaged businesses to benefit
22 from the new state funding law.

23 In response to the coronavirus
24 pandemic, SEPTA joined the Chamber of
25 Commerce of Greater Philadelphia's

1 Recharge and Recovery Task Force and we
2 continue to share our best practices
3 with other business leaders who are
4 committed to increasing procurement
5 opportunities with diverse businesses.
6 Now, at the Infrastructure Investment
7 and Jobs Act, the bipartisan and
8 structure law that was passed last fall,
9 SEPTA is taking a leading role in
10 helping to launch the equity and
11 infrastructure program. It's a new
12 national effort to grow and strengthen
13 historically underutilized business
14 participation in infrastructure.

15 Thanks to the efforts of our
16 regional congressional delegation to
17 pass the bipartisan infrastructure bill,
18 SEPTA expects to receive more than \$100
19 million in additional federal formula
20 funding in each of the next five years.
21 These funds will help SEPTA address some
22 of our most pressing infrastructure
23 rehabilitation and vehicle replacement
24 needs, and we are eager to put these
25 investments to work for our customers

1 and the communities we serve.

2 Beyond rebuilding assets that
3 support SEPTA's mobility mission, we
4 know that transient investments
5 transcend concrete and steel. Our
6 projects connect people to opportunity,
7 build vibrant communities and have a
8 cascading impact on the local, regional
9 and state economy. If invested
10 strategically and equitably, funding
11 from the bipartisan infrastructure bill
12 can serve as a catalyst for new and
13 transformative opportunities for
14 disadvantaged-, minority- and
15 women-owned businesses.

16 Contracting's an opportunity to
17 invest in our community. Who we hire to
18 supply goods and services and fulfill
19 construction contracts is a reflection
20 not just of our programmatic needs but
21 of our values. SEPTA takes this
22 responsibility seriously and we value
23 our important role in promoting broader
24 and equitable economic opportunities.

25 To put this commitment into

1 practice, I'm very pleased to share with
2 all of you that SEPTA will be one of
3 five chartered signatories to the
4 equitable and infrastructure program.

5 This is an exciting new national
6 initiative that will strengthen the
7 transportation industry's commitment to
8 contracting with historically
9 underutilized businesses, creating new
10 pathways for businesses to grow and
11 build their communities.

12 Following the passage of the
13 IIJA, I was honored to join Phil
14 Washington, the former LA's metro CEO
15 who now runs Denver International
16 Airport, and leaders from the Chicago
17 Transit Authority, Port of Long Beach
18 and Metropolitan Water District of
19 Southern California in working to launch
20 the equity and infrastructure program.
21 We'll develop a set of principles and
22 industry best practices and guide how we
23 contract on major infrastructure
24 projects going forward.

25 Again, I can't stress how

1 honored we are to be a part of this
2 group of first five signatories and in
3 working and putting together the
4 language and the goals of this program.
5 The goal I'm most excited about is
6 increasing the number, size and
7 percentage of historically underutilized
8 businesses grow into primes, joint
9 ventures or equity participants.

10 The Equity and Infrastructure
11 Program will provide guidance and
12 industry best practices for public
13 agencies, including streamlining the
14 administration of programs for firms
15 included in the historically
16 underutilized business designation,
17 working to increase the amount and type
18 of financing available to historically
19 underutilized businesses to meet
20 infrastructure contract requirements and
21 insurance. That is how we will maximize
22 infrastructure investments to fully
23 deliver to our communities.

24 In support of the Equity and
25 Infrastructure Program, SEPTA is

1 convening an internal working group to
2 increase the number, size and scope of
3 small and disadvantaged business
4 contracts awarded. We plan to establish
5 a small business set-aside program and
6 the goal of increasing the number of
7 prime contracting opportunities.

8 One approach we plan to
9 explore, subdividing contracts wherever
10 possible to facilitate the scaled growth
11 of historically underutilized
12 businesses, including existing DBE firms
13 in our current program. Another primary
14 goal of this initiative for SEPTA will
15 be to engage more small businesses in
16 the large projects we have planned, like
17 Trolley Modernization.

18 I believe that our application
19 for federal grants will be more
20 competitive when we demonstrate that we
21 have diverse business partners working
22 together to advance these projects of
23 regional significance. The Equity and
24 Infrastructure Program has the support
25 of the SEPTA Board and Chairman Deon

1 will be joining me in signing the
2 pledge.

3 I look forward to working with
4 my colleagues here on this panel and
5 across the Commonwealth to build this
6 program into a new industry standard.
7 While we pursue these initiatives, I'm
8 pleased to report continued progress and
9 strengthening our existing Disadvantaged
10 Business Enterprise program and
11 fulfilling our commitment to provide
12 greater opportunities for small-,
13 minority- and women-owned businesses to
14 participate in SEPTA's capital program.

15 At this time, I'm pleased to
16 introduce Andy Abdallah. Andy and his
17 team are responsible for all procurement
18 activity at SEPTA, and he'll provide an
19 overview of SEPTA's Disadvantaged
20 Business Enterprise Program and update
21 you on our current efforts. Andy.

22 MR. ABDALLAH: Thank you,
23 Leslie.

24 Good morning, Chairwoman
25 Squilla, Vice-Chairman Domb and

1 Committee members. SEPTA as a recipient
2 for federal funding through the Federal
3 Transit Administration, FTA, SEPTA
4 complies fully with the federal
5 Disadvantaged Business Enterprise DBE
6 program. The federal DBE program is
7 unique for its structure and reporting
8 requirements.

9 Small-, minority- and
10 women-owned businesses seeking to
11 participate in SEPTA contracts as a
12 federal DBE must first apply for DBE
13 certification. And SEPTA follows a
14 rigorous and public Federal Transit
15 Administration process for establishing
16 DBE participation goals on its
17 solicitation for goods, services and
18 construction projects.

19 SEPTA is one of only five
20 agencies in the Commonwealth of
21 Pennsylvania that still certifies firms
22 as DBEs. Today there are 2,328
23 registered DBEs in the Pennsylvania
24 Unified Certification Program, PA UCP,
25 DBE directory, of which 248 are based in

1 Philadelphia. We continually look for
2 ways to grow our program and potential
3 business partners and work very hard to
4 educate businesses about the DBE
5 certification process as well as
6 registering to do business with SEPTA
7 through our eProcurement System, ePS.

8 Throughout the year, we send
9 out monthly eblasts to registered DBE
10 firms regarding upcoming contracting
11 opportunities at SEPTA, upcoming pre-bid
12 and pre-proposal meetings and
13 contracting opportunities and outreach
14 events with other agencies.

15 Additionally, firms that are
16 registered in SEPTA's ePS system receive
17 automatic notification with a product or
18 service within that firm's area of
19 business expertise is being procured by
20 SEPTA. To reach as many as diverse
21 businesses as possible, this information
22 is also shared with firms in the
23 Pennsylvania Unified Certification
24 Program's, (PA UCP), DBE Directory, the
25 City's Office of Economic Opportunities,

1 OEO, registry as well as the various
2 Chambers of Commerce.

3 We also partner with the City,
4 elected officials and organizations to
5 educate small-, minority- and women-
6 owned businesses through a series of
7 targeted forums, including the City's
8 annual Minority Enterprise Development,
9 MED, Week event.

10 These efforts have generated
11 significant business for DBE firms who
12 have contributed their talent and
13 expertise to SEPTA projects. From
14 Fiscal Year 2016 to 2020, SEPTA awarded
15 more than 16 percent of its federally
16 funded contract dollars to DBE firms.
17 And because of the SEPTA Board's action
18 asking to expand federal DBE goals and
19 procedures to include all SEPTA
20 procurements greater than \$100,000 on
21 state-funded projects following the
22 passage of Act 89, SEPTA awarded more
23 than 13 percent of its state-funded
24 contract dollars to DBE firms over the
25 same five-year period.

1 Between 2016 and 2020, SEPTA
2 awarded \$107 million to DBE firms.
3 Because the federal DBE program is very
4 specific about how it tracks and applies
5 procurements with certified firms, SEPTA
6 has historically not captured in data
7 the full spectrum of procurements and
8 business done with diverse businesses.

9 However, in examining
10 procurement data from the past five
11 years we found that SEPTA awarded more
12 than \$71 million to minority-, women-
13 and disabled-owned enterprises
14 registered with the City's Office of
15 Economic Opportunity. To further
16 understand who our business partners
17 are, we are asking all companies
18 registered on our ePS system to self-
19 identify business certification type,
20 ethnicity and gender. This will help
21 SEPTA identify the holistic
22 representation of businesses, including
23 Black-, Brown-, Asian- and
24 LGBTQIA+-owned firms in the Greater
25 Philadelphia area.

1 Currently, 964 of the 6,990
2 companies have provided this detailed
3 information, with 50 percent of
4 respondents identifying as non-White and
5 50 percent identifying as female. As
6 the result of these two efforts, we are
7 now developing a fuller picture of who
8 we do business with which will improve
9 how we engage them in the future and how
10 we can generate new business
11 opportunities for our DBE firms and
12 other historically underutilized
13 businesses.

14 We know we have more work to do
15 to grow contracting opportunities with
16 diverse businesses and ensure that
17 public investment is used to not only
18 rebuild SEPTA but also build economic
19 opportunity for a range of local
20 businesses and workers.

21 As we begin to mobilize our
22 capital program to put the
23 infrastructure bill funding to use and
24 implement the provisions of the Equity
25 Infrastructure Program, we are also

1 looking at other ways to engage with
2 small, minority, women and disadvantaged
3 business enterprises.

4 Before I close, I would like to
5 remind Council and those attending
6 today's hearing that next Wednesday,
7 February 16th, SEPTA and the Enterprise
8 Center are hosting the ABC's of DBE, a
9 virtual workshop on DBE certification.

10 This is an important opportunity for
11 firms that are not currently certified
12 as DBEs to learn more about the program
13 in advance of increased federal funding
14 being made available, and we hope you
15 will share this with your constituents
16 and businesses. On behalf of SEPTA,
17 thank you for the opportunity to appear
18 today. Leslie and I will answer any
19 questions that you may have.

20 COUNCILMAN SQUILLA: Thank you
21 so much for your testimony and we
22 appreciate everybody being here.

23 Councilmember Johnson.

24 COUNCILMAN JOHNSON: Yeah,
25 thank you very much, Mr. Chair.

1 And thank you, Leslie, for your
2 team and your testimony. Just had a
3 question. In your testimony, you
4 indicated that 16 percent of your
5 federally-funded contracts and 13
6 percent of your state-funded contracts
7 were awarded to disadvantaged
8 businesses. Can your team break down
9 the demographics on a state level and a
10 federal level who was awarded those
11 contracts?

12 MS. RICHARDS: Andy, I'll let
13 you respond to that. I know we're
14 working to break it down further, but
15 Andy can clarify what we can do right
16 now and what we're working towards.

17 MS. BOVAIRD NEVINS: Yes. We
18 don't have that data available with us
19 right now, but we'll definitely take a
20 look at it and try to break it down,
21 sir.

22 COUNCILMAN JOHNSON: Yes. Can
23 you please provide that data to the
24 Chair and members of the Committee just
25 so we can have a complete picture of the

1 work that you're actually doing. I'm
2 excited about the initiatives in terms
3 of outreaching and partnering with The
4 Enterprise Center regarding doing the
5 ABCs of becoming a minority-certified
6 business.

7 I'm always getting phone calls
8 on a day-to-day basis regarding
9 individuals who want to do business with
10 the City, but I tell them you must be
11 minority-certified and they know that
12 they have to go through you, obviously
13 other entities, but we always recommend
14 them to SEPTA.

15 So give me an idea about the
16 new diversity initiative that you have,
17 what are your targeted goals moving
18 forward, like what the infrastructure
19 initiatives are and so forth?

20 MS. RICHARDS: Yeah, I'll start
21 and then Andy can add on a few things.
22 So in putting together the Equity and
23 Infrastructure Program on a national
24 basis, we've worked with USDOT. I
25 specifically was asked what are the

1 barriers and we talked about that, what
2 are the barriers with the current
3 federally procurement issues. And in
4 talking again with USDOT, with private
5 sector partners, public sector partners,
6 we identified several issues.

7 In talking with Chicago
8 Transit, I've worked very closely with
9 Dorville Carter who's the CEO of the
10 Chicago Transit Authority, we looked
11 into their small business set-aside,
12 what worked, what did not work. What
13 they shared with us is they had the best
14 of intentions. They put together a
15 great program, but the participation
16 wasn't where they expected or where they
17 wanted it to be, and they realized after
18 a few years when they went back is that
19 they didn't do the appropriate or they
20 could have done better I should say in
21 education upfront. That's what part of
22 this ABCs for DBEs are.

23 What they saw was a lot of
24 their disadvantaged-owned businesses
25 were used to being subs and they didn't

1 know how to be a prime. They were
2 making more opportunities for prime
3 projects and they weren't seeing the
4 applications, they weren't seeing the
5 interest. One thing that we found as we
6 re-evaluated our own program that even
7 the disadvantaged businesses that have
8 been participating, 20 percent of them
9 are doing well and 80 percent are not
10 doing well. They don't have the
11 resources. They don't have the support
12 that they need.

13 Part of equity and
14 infrastructure is really based around --
15 I shouldn't say part of it, but the main
16 part of it is building generational
17 wealth. It's not to give a business a
18 one-time shot and then not give them the
19 support that they need to diversify the
20 scope of their business, the talent, the
21 type of projects that they can go after.
22 And so, we're really putting that effort
23 on the front end of things to make sure
24 again that we have a larger number of
25 available firms that can do the work.

1 And if they can't do the work, they're
2 asking the right questions, getting the
3 right support and being paired with
4 firms that are doing our prime work
5 right now and with other industry
6 partners. So that's part of what we're
7 doing.

8 And then, Andy, I'll let you
9 also comment.

10 MR. ABDALLAH: Okay. Thanks,
11 Leslie. So to Leslie's point, a small
12 number of our registered DBEs are
13 getting the majority of our awarded
14 contract work. So one of the things we
15 have to do is really find out where that
16 missing link is, and I think it's a team
17 effort between the DBEs being proactive
18 and kind of going after and pursuing the
19 work as well as attending outreach
20 events and the networking events and
21 bringing them in and showing them what
22 upcoming projects are out there, and it
23 also gives them an opportunity to
24 network with primes to do the work as
25 the subcontractor.

1 One thing that we have found
2 successful in the past is when we have
3 whether it's a stimulus or a new
4 infrastructure bill coming to the City
5 for SEPTA and there are dollars to be
6 spent, we try to uplay as much as
7 possible by having huge network events,
8 bringing everyone in that has the
9 ability to participate in the work under
10 those funds, explain to them the
11 projects that are upcoming and actually
12 try to answer any questions that they
13 may have.

14 Also, when we bring them in,
15 minority-owned businesses as well as
16 prime contractors, so that networking is
17 crucial to be able to -- if you're not
18 able to do the connect, you still have
19 to be able to connect with someone that
20 you can actually team up with and do the
21 work. As Leslie mentioned and I think
22 the previous panel mentioned as well,
23 there's still a gap between the
24 financing and the bonding and the
25 insurance that small businesses need to

1 have in order to compete on projects.
2 So again, that's a global work and team
3 effort where we try to facilitate that
4 aspect of them being able to do the work
5 as well as continue education. Again,
6 to the small members of the DBEs that
7 are getting the work, we also have to
8 get out there and kind of continue the
9 education and make sure that the other
10 DBEs that are not getting the work and
11 not pursuing the work are actually doing
12 their best in order to be able to
13 participate and compete for these
14 upcoming projects.

15 COUNCILMAN JOHNSON: Do you
16 have specific subcontracting goals
17 specifically for African Americans and
18 Hispanic/Latino firms? A lot of times
19 when we talk about disadvantaged
20 businesses, right, it's a very broad
21 category, right. And probably what's
22 the most dismal area that we're having
23 issues here in the City of Philadelphia
24 is particularly the numbers when it
25 comes to African American small business

1 firms and Hispanic business firms, 11.5
2 percent and 3.5 percent respectfully.

3 MR. ABDALLAH: So the way that
4 the DBE program, the federal DBE program
5 is structured, it's based in network
6 value. It goes through a progress
7 whereby the minority firm, whether it's
8 Black-owned, Hispanic-owned or
9 women-owned have to be certified as a
10 DBE. I don't have that information for
11 you, Councilman Johnson, but we can try
12 to give you a breakdown of how much of
13 the contract work is going to these
14 specific business entities.

15 MS. RICHARDS: Yeah, we can
16 definitely -- we'll keep track of that,
17 and I can tell you a specific emphasis
18 on the Equity Infrastructure Program is
19 on Black- and Brown-owned businesses, so
20 we will be tracking that. And I'm not
21 sure -- and we are still waiting from
22 USDOT as far as separate participation
23 level goals, but it's something we'll be
24 able to record on.

25 It's something we want to see

1 increase. We want to see it increase
2 significantly. I want to let you know
3 we want to see it increase in all the
4 historically underutilized businesses,
5 and there is room for that.

6 COUNCILMAN JOHNSON: Okay.

7 Thank you very much.

8 Thank you, Mr. Chair.

9 COUNCILMAN SQUILLA: Thank you,
10 Councilmember.

11 I know Councilmember Gilmore
12 Richardson.

13 COUNCILWOMAN GILMORE

14 RICHARDSON: Thank you. Thank you so
15 much, Mr. Chair.

16 And thank you so much, Leslie
17 Richards, for all of your work at SEPTA
18 and to the entire team. I truly value
19 working with each and every one of you.
20 I have to shout out Wendy. Thank you
21 for always taking the calls from all of
22 us in responding and getting us all the
23 answers we need from SEPTA.

24 But I just want to follow up on
25 a question that Councilmember Johnson

1 posed, because I recognize as a leader
2 that you can't manage what you don't
3 measure. And so, what I wanted to ask
4 was again if there are specific goals
5 that SEPTA has for what I'd like to
6 call -- and I'm not going to say
7 disadvantaged, I'm just going to say
8 minority businesses in general. Are
9 there specific goals for all of your
10 spending categories for minority
11 vendors?

12 (Background interruption.)

13 COUNCILWOMAN GILMORE

14 RICHARDSON: Somebody's not on mute.

15 MS. RICHARDS: Part of us
16 signing the pledge, we'll be going into
17 more detailed information than we
18 currently have. Again, the pledge is
19 going to hold us accountable. There are
20 metrics that we will be signing on. We
21 obviously will be sharing them with you.

22 Not only that, but we've been
23 asked as one of the first five signers,
24 and we're the only signers east of
25 Chicago, to get other entities involved.

1 So we'll be reaching out to all of you.
2 Obviously, we would love to share the
3 goals with the Airport, with OTIS. That
4 includes all of the Commonwealth
5 transportation agencies with PennDOT as
6 well. I've already spoken to Secretary
7 Gramian. We have a lot of excitement
8 here in the Commonwealth of Pennsylvania
9 with us all working together on that.
10 So we will share those metrics. You
11 will need to gather them as part of the
12 pledge.

13 I just wanted to point out that
14 the pledge was very careful in not
15 concentrating on dis -- they don't like
16 and I personally do not like the term
17 disadvantaged business enterprises, and
18 that's why they were calling it the Hub
19 program for a while for underutilized
20 businesses, but it does include women-
21 owned businesses and it does include
22 African American-owned businesses as
23 well as Hispanic-owned businesses.

24 COUNCILWOMAN GILMORE

25 RICHARDSON: Okay. Well, I'm just going

1 to go back to my question only because
2 the pledge is not here yet. So if you
3 could detail the specific goals that you
4 all currently have, because then that
5 way we'll be able to measure the current
6 goals versus the goals of this new
7 pledge.

8 MS. RICHARDS: Sure. We'll get
9 those to you.

10 COUNCILWOMAN GILMORE

11 RICHARDSON: Okay.

12 MS. RICHARDS: Andy, if you
13 have anything in addition on that right
14 now?

15 MS. ABDALLAH: So just one
16 thing I would like to add is that we
17 currently have our disadvantaged
18 business enterprise goal that we set was
19 a three-year goal that we set, that we
20 shared with FDA and then basically their
21 approval, so we have that goal and we
22 applied that goal across all of our
23 different contracts for good --

24 COUNCILWOMAN GILMORE

25 RICHARDSON: But what is it, Andy? My

1 apologies for interrupting, but what is
2 the goal? That's the question. My
3 question is just what is it?

4 MS. ABDALLAH: So our DBE goal
5 is 15 percent and that's what we monitor
6 for any awarded projects to make sure
7 that we get that on an annual basis.

8 COUNCILWOMAN GILMORE

9 RICHARDSON: Okay. So when you say 15
10 percent, would you be able to break that
11 down for me? And I only ask this
12 because I've asked every City department
13 for this information. The City has
14 provided it. I told you before it's a
15 1,000 page report. So what is it broken
16 down relative to goal for African
17 American businesses broken down by
18 African American male, African American
19 female, Hispanic male, Hispanic female,
20 Asian male, Asian female and on down?

21 MS. ABDALLAH: Yeah. So
22 unfortunately, it's not broken down in
23 that fashion. The way it's broken down
24 is basically take a look at the projects
25 that we have upcoming and then looking

1 at the number of registered DBEs and
2 certified DBEs within the database that
3 can actually perform some of the work
4 within the upcoming projects.

5 But I think to the question,
6 the point that was asked before, we'll
7 go back historically and take a look of
8 where the awards are and then break down
9 the different business structure
10 entities.

11 COUNCILWOMAN GILMORE

12 RICHARDSON: Sure. Because I think you
13 all recognize that in order for us to
14 adequately measure the success of any of
15 these initiatives, we need something to
16 go off of, some information to analyze.
17 So that's what I'm seeking to gather
18 with these questions.

19 So I'll then ask my follow-up
20 question which would be what is your
21 current participation rate for
22 businesses broken down by African
23 American male, female; Hispanic male,
24 female; Asian male, female and on down.
25 So I recognize you may have goals that

1 you can't break down in that way. But
2 because you're contracting with other
3 individuals and businesses, you would
4 know or have the demographic information
5 of those entities and therefore would be
6 able to supply that information to us
7 broken down in that way.

8 So currently what you have I'll
9 say even just for this year and going
10 back the last three years, what is the
11 breakdown for your business spend with
12 those businesses, African American male,
13 female; Asian male, female; Hispanic
14 male, female?

15 MR. ABDALLAH: We'll get that
16 information.

17 COUNCILWOMAN GILMORE

18 RICHARDSON: Oh, okay. You can provide
19 that information to the Chair so that he
20 can provide it to all of us. That will
21 be exceedingly helpful.

22 MS. ABDALLAH: Sure.

23 MS. RICHARDS: Yeah, and we
24 totally understand. It's a reasonable
25 request and it's one that we should have

1 as we're moving forward. So thank you
2 for those questions and we'll get --
3 even as I've been in this arena for
4 quite some time, I appreciate the
5 questions along gender because I don't
6 think that gets enough attention, and I
7 don't think it's been collective in the
8 right way either so we'll point that out
9 as well.

10 I know we have asked
11 voluntarily for that gender information
12 and we're doing a better job of
13 collecting it, and part of these equity
14 and infrastructure discussions have
15 included that as well, so that is
16 definitely something that has been
17 brought to the attention nationally as
18 well and we'll keep you up-to-date.

19 COUNCILWOMAN GILMORE

20 RICHARDSON: Awesome. That will be
21 great. Because again, I just want to be
22 able to look at the data and have a
23 proper analysis of the data based on the
24 information that you all provide to us.

25 The other piece of that is I

1 found and just preliminarily reviewing
2 the reports that we received the City
3 that the women category is often used as
4 a catch-all, and it does not cash out to
5 African American women business owners,
6 Asian women business owners, Hispanic
7 women business owners and it just says
8 women. And in some of those categories
9 in some of the City departments, again
10 for African American women it was 0 all
11 the way down. But in the other women
12 categories, for instance, White women
13 category, it was like 100 percent in
14 some of the instances or 83 percent, but
15 all the other categories it was either 0
16 or very low.

17 So that's why I'm trying to pay
18 special attention to, and this is not
19 for SEPTA, this is for everyone on the
20 call because this will come up again
21 during our budget season. We need the
22 breakdown for demographic for each of
23 those entities. Please come prepared to
24 the budget hearings to address those
25 specific questions as a follow-up from

1 the report, but also for the quasi City
2 agencies so that we can just measure the
3 progress or lack thereof that you all
4 are making in this regard.

5 So thank you very much,
6 Mr. Chair.

7 Finally, I just wanted to add,
8 I could not leave this conversation
9 without putting this on the record,
10 Leslie, for SEPTA. Apprenticeship
11 programs will be very, very important.
12 We've already reached out to your team.
13 We've already had a meeting around the
14 apprenticeship program, so thank you all
15 so much for that meeting.

16 We want to ensure that we can
17 re-establish some of the programs that
18 used to be in play at SEPTA that are no
19 longer in play for apprenticeship
20 programs for some of the students at the
21 CTE schools who are interested in a
22 career either in transportation or in
23 fleet management or automotive mechanic,
24 okay, and we want to re-establish those
25 programs so that we can create that

1 pipeline for some of the industries that
2 are coming to Philadelphia, some coming
3 in Councilmember Johnson's District, but
4 in other districts we'll have multi-
5 modal transportation hubs in and around
6 the airport.

7 So we just want to make sure
8 that we are connecting young people to
9 that employment pipeline because that
10 will increase based on our labor market
11 indicators here in Philadelphia over the
12 next three to five years. So we will
13 circle back around ensuring that you all
14 have the additional apprenticeship
15 programs so that we can get more young
16 people in the pipeline for those jobs.

17 So thank you very much,
18 Mr. Chair. Thank you for your latitude.
19 And again thank you, Councilmember
20 Johnson, for this very important
21 hearing. Thank you.

22 COUNCILMAN SQUILLA: Thank you,
23 Councilmember Gilmore. Much
24 appreciated.

25 Next we have Stephen Zook, if

1 you're available. Please state your
2 name for the record.

3 MR. ZOOK: Hello. My name is
4 Stephen Zook. So good morning, Chair
5 Squilla and members of City Council
6 Committee on Commerce and Economic
7 Development. Like I said, my name is
8 Stephen Zook. I'm the Executive
9 Director of the Office of Procurement
10 Services for the School District of
11 Philadelphia. I'm pleased to be here
12 with you all today to describe the
13 efforts that the School District is
14 taking relative to diversity and
15 inclusion in contracting.

16 I want to start by highlighting
17 the increasing diversity and inclusion
18 in the contracted work performed on
19 behalf of the District is part of the
20 adopted goals of the School Board and
21 the School District Administration. We
22 report out on these efforts quarterly
23 every 90 days. We have a published
24 report on the results of our ongoing
25 efforts in our District Quarterly

1 Manager Reports. We think it's crucial
2 for us to report out on this
3 information, on the metrics surrounding
4 the foundational goals of the District.

5 For the last whole year, which
6 was FY21, 35 percent of all dollars
7 awarded went to M/W/DBE vendors, which
8 was an increase from 21 percent in
9 Fiscal Year 2020. We do have more
10 detailed statistics on this information
11 in our quarterly report, which is
12 available on the School District's
13 website. In our submitted testimony, we
14 have the website listed there.

15 As an overview quickly of how
16 we define M/W/DBE entities, so the
17 School District tracks minority
18 businesses as any minority-owned or
19 women-owned business. Minority
20 ownership is defined as being at least
21 51 percent owned by Black, Hispanic,
22 Asian and Pacific Islander or Native
23 American shareholders. In our
24 reporting, we do track separately the
25 breakdown of contracts awarded to women-

1 owned and minority-owned businesses.

2 And we do track businesses owned by
3 White women as part of our M/W/DBE
4 overall spend.

5 We do not certify businesses as
6 an M/W/DBE entity internally. We depend
7 on agencies including the City, also
8 organizations such as WBENC and The
9 Enterprise Center for certification.

10 One of the concerns that has been raised
11 in this meeting and prior is whether or
12 not the contracts that are awarded to
13 include minority vendors actually come
14 to fruition, whether that spend becomes
15 real. And to help ensure compliance on
16 this, we've created a unique M/W/DBE
17 system as part of our Oracle finance
18 system that will allow vendors
19 themselves to verify whether they are
20 receiving payment for their services as
21 part of their commitment. So we'll have
22 independent verification by the
23 subcontractors being utilized as to
24 whether they were engaged with on a
25 given contract.

1 I'd also like to highlight some
2 of our ongoing efforts to continually
3 reach a wide array of vendors to support
4 the work of the School District. Just
5 first and foremost, we've recently
6 completed the hiring process for our
7 Director of Diversity and Small Business
8 and we're excited to bring on Eric
9 Watkins in this role. He has experience
10 in the City of Philadelphia, including
11 an OEO and in construction, and he's
12 going to be a very valuable asset to our
13 team. We're really excited to have him
14 onboard.

15 In addition to the compliance
16 that we want to ensure of the vendors,
17 one of our biggest efforts is going to
18 be around outreach to minority-owned and
19 small businesses. So prior to the
20 pandemic, we were hosting inperson
21 workshops for vendors to learn our
22 process, meet with our buyers and do
23 meet-and-greet sessions with program
24 offices at the School District so
25 vendors in a given industry, for

1 example, transportation could meet the
2 leaders in the relevant departments at
3 the School District of Philadelphia.

4 We hope to get back to inperson
5 sessions pending safer levels of COVID
6 transmission. In the meantime, we're
7 looking to host some virtual sessions
8 for vendors to learn about existing
9 opportunities and to get connected to
10 our program offices. All of this work
11 is going to require very close
12 coordination with yourselves at City
13 Council, the City of Philadelphia,
14 regional partners and a lot of
15 nonprofits and certifying agencies.

16 We will continue to develop
17 relationships with The Enterprise
18 Center, with WBENC, EMSDC, a number of
19 Chambers of Commerce and other
20 organizations to move this work forward.
21 Thanks for giving me the opportunity to
22 present before the Committee this
23 morning and happy to answer any
24 questions.

25 COUNCILMAN SQUILLA: Thank you.

1 And I know Councilmember Johnson has a
2 question.

3 COUNCILMAN JOHNSON: Thank you,
4 Mr. Chair.

5 And thank you, Stephen, for
6 your testimony. You indicated that 35
7 percent of your contracts were awarded
8 in the last fiscal year to disadvantaged
9 businesses. Can you provide a
10 demographic breakdown?

11 MR. ZOOK: We do have that
12 breakdown in the quarterly report
13 including -- so we break it down in a
14 number of ways. We do break down the
15 type of contract, so construction or
16 construction professional services. We
17 can also provide information on the
18 demographic breakdown as well.

19 COUNCILMAN JOHNSON: Do you
20 have it currently?

21 MR. ZOOK: For the current
22 report, there is another report being
23 released in February.

24 COUNCILMAN JOHNSON: I mean,
25 Stephen, do you have the numbers in

1 front of you? I would think since this
2 is a DE&I hearing, you would be able to
3 come and say, boom, this is what we're
4 doing, A, B, C, D in these categories.
5 I'm just assuming that that's the case.

6 MR. ZOOK: Understood. If I
7 have a couple of minutes, I can pull it
8 up. I do not have it in front of me
9 right now.

10 COUNCILMAN JOHNSON: Okay.
11 Just make sure the Chair gets a copy to
12 provide that information to other
13 members of Council.

14 MR. ZOOK: Absolutely.

15 COUNCILMAN JOHNSON: Give me an
16 overview of your procurement and
17 contracting services around your
18 buildings and contracts and developing
19 your buildings. I know there were some
20 negotiations with the Building Trades in
21 the past regarding how you were going
22 about utilizing the Trades through the
23 work with the School District and making
24 sure it's diverse and inclusive.

25 Do you have an update on that

1 process? I know it was brought up at
2 the last budget hearing when the
3 District was here.

4 MR. ZOOK: Certainly. So
5 regarding diversity in our construction
6 contracts specifically?

7 COUNCILMAN JOHNSON: Yes,
8 exactly.

9 MR. ZOOK: So we are looking --
10 we obviously have an influx of funds for
11 buildings, including from the federal
12 and state governments, so we're looking
13 to really increase our outreach and
14 ensure compliance as well on these
15 contracts. Specifically, that means
16 doing audits of the contracts that are
17 awarded in order to ensure that if a
18 vendor commits to whether it's 15, 30
19 percent, that it's real.

20 We're going to utilize our new
21 system that we're building in
22 conjunction with the Oracle platform in
23 order to verify that and confirm with
24 minority partners that they are being
25 utilized and that is legitimate

1 contracts.

2 COUNCILMAN JOHNSON: Do you
3 have numbers regarding diversity and
4 inclusion particularly around
5 construction?

6 MR. ZOOK: So for the most
7 recent quarter, there was 45 percent of
8 our awarded dollars went to M/WBE firms.
9 That was about \$42 million in the most
10 recent quarter that we reported out on,
11 and about \$19 million of that went to
12 M/WBE businesses. And I can provide the
13 breakdown as well of that.

14 COUNCILMAN JOHNSON: That's
15 what I was getting ready to ask. Okay.
16 Eric Watkins, is he available?

17 MR. ZOOK: He is on the call.
18 He can certainly introduce himself.

19 MR. WATKINS: Hi. Good
20 morning.

21 COUNCILMAN JOHNSON: Good
22 morning, Eric. How are you?

23 MR. WATKINS: Good morning,
24 Councilman. How are you?

25 COUNCILMAN JOHNSON: I'm doing

1 pretty good. Welcome aboard to your
2 position as Director of Diversity. Can
3 you give us an overview of your vision
4 as it relates to enhancing diversity and
5 inclusion in contracting for the School
6 District of Philadelphia?

7 MR. WATKINS: Okay. As of now,
8 I'm still learning the lay of the land
9 here at the School District. Much like
10 the City of Philadelphia where they
11 measure things through City departments,
12 here they have program offices so I'm
13 trying to figure out -- I'm trying to
14 get to meet everyone in these program
15 offices and find out who are the
16 decision-makers within those programs
17 and try to get into the process of
18 they're procuring their contracts early
19 on so that we can maximize the
20 opportunity to get the most
21 participation on the contracts.

22 COUNCILMAN JOHNSON: So let me
23 ask you this, Eric: As you go through
24 your process in doing outreach and
25 finding who's responsible for what,

1 ideally what would you like to see as
2 the new person in charge of DEI for the
3 School District of Philadelphia, your
4 vision?

5 MR. WATKINS: Well, I think for
6 the most part of some of the larger
7 program offices where they have their
8 larger contracts, specifically in
9 construction as I hear a lot on the
10 call, you will be able to get the
11 maximum participation through those
12 processes if we get enough companies
13 registered. We have to build out our
14 own internal database as well in
15 conjunction with using the data from
16 other entities much like OEO and WBENC
17 and MSDC. So once we get that
18 established, we can understand the
19 process of getting them certified and
20 registered with the School District and
21 get in the process early enough through
22 the program offices so that we can get
23 the information to them so they can be
24 prepared to be able to bid as a prime or
25 participate as a subcontractor.

1 COUNCILMAN JOHNSON: Okay. All
2 right. Well, thank you very much, Eric.
3 And I think about some of the things
4 that you're talking about. It's a lot
5 of synergy on here in terms of
6 connecting the dots with the District
7 and the work that PIDC is doing, the
8 same as SEPTA, the same as the Airport.
9 It's a lot of overlap in the event that
10 it seems like some of the information,
11 shared information, can enhance what
12 everybody is doing. But thank you,
13 Eric. And I look forward to doing a
14 follow-up and having a conversation with
15 you.

16 MR. WATKINS: Not a problem.

17 COUNCILMAN JOHNSON: That's all
18 I have.

19 COUNCILMAN SQUILLA: Thank you,
20 Councilmember.

21 As far as we heard earlier from
22 debarment and I'm not sure how many
23 people have been debarred, but have you
24 seen during your time there contractors
25 that have not followed the proper

1 protocols or given information that
2 wasn't accurate that you would then not
3 have them work at the School District?

4 MR. ZOOK: So we have had to
5 work with a number of organizations who,
6 say, commit to a percentage initially
7 and then when the contract starts or
8 saying that they're having trouble to
9 meeting with that, so we work with them
10 to make sure they can meet it. We also
11 work in conjunction with the City of
12 Philadelphia, so if the City is looking
13 to debar a company due to fraudulent
14 behavior on inclusion, we would also
15 follow that process to investigate the
16 same vendor.

17 COUNCILMAN SQUILLA: But you
18 haven't done that -- no vendors have
19 ever did that with any contractor at
20 this point?

21 MR. ZOOK: We have not debarred
22 on our own just from the School District
23 contracting process. We have not
24 debarred a vendor, specifically for
25 minority inclusion. I can't speak to

1 potentially other reasons for debarment.

2 COUNCILMAN SQUILLA: All right.

3 Is that because they all have met their
4 goals or just that's something that you
5 guys haven't done at this time?

6 MR. ZOOK: It's just not
7 something that we've done at this time.
8 We're generally able to work with
9 vendors and obtain a satisfactory
10 participation rate with them when we sit
11 down. You know, it's not to say that it
12 wouldn't happen in the future of course.

13 COUNCILMAN SQUILLA: I
14 understand Eric is there now and I'm
15 sure he will have oversight over this,
16 and hopefully that will be a priority
17 moving forward.

18 Councilmember Gilmore
19 Richardson.

20 COUNCILWOMAN GILMORE

21 RICHARDSON: Yes. Thank you so much,
22 Mr. Chair.

23 And thank you again to the
24 School District of Philadelphia for
25 participating in this hearing. I just

1 want to circle back to your testimony,
2 Mr. Zook, where you notated in your
3 testimony that your minority spend
4 numbers relative to DBE includes White
5 women-owned businesses.

6 So I'll offer the same question
7 to you that I offered to SEPTA and to
8 all of the entities on the call. Can
9 you break down your spend by African
10 American male, African American female;
11 Hispanic male, Hispanic female; Asian
12 male, Asian female and then on down in
13 that manner?

14 MR. ZOOK: Yes, we can provide
15 that to the Committee and we can break
16 that down by ethnicity and gender.

17 COUNCILWOMAN GILMORE
18 RICHARDSON: Okay. That will be
19 helpful. And you can submit that to the
20 Chair for us.

21 MR. ZOOK: Absolutely.

22 COUNCILWOMAN GILMORE
23 RICHARDSON: Okay. Excellent.

24 Thank you very much, Mr. Chair.
25 I'll reserve the balance of my questions

1 for the School District. Thank you.

2 COUNCILMAN SQUILLA: Thank you.

3 Councilmember Green.

4 (No response.)

5 COUNCILMAN SQUILLA: Okay.

6 Councilmember Green, I don't know if
7 he's connected. He did have a question.

8 But is Mr. Watkins going to
9 testify or is he just there to answer
10 questions?

11 MR. ZOOK: He's here to answer
12 questions. Since he did join us very
13 recently just two weeks ago, we're not
14 asking him to testify at this time, but
15 he is available as well.

16 COUNCILMAN GREEN: Mr. Chair.

17 COUNCILMAN SQUILLA: Okay. Go
18 ahead, Councilmember Green. Ask your
19 questions.

20 COUNCILMAN GREEN: Yes. Thank
21 you, Mr. Zook. Just to ask you a
22 question that really all of the
23 panelists could answer, but since you
24 are still testifying, I want to get a
25 perspective on what steps you're taking

1 to be proactive to help grow existing
2 businesses.

3 We've talked a lot about
4 growing businesses, but there are a
5 number of existing mature Black and
6 Brown businesses in the City of
7 Philadelphia, that if we can help them
8 get to a high level of capacity, they'll
9 be able to hire more individuals in our
10 City and also provide other
11 opportunities for smaller businesses
12 that they can partner with to help grow
13 the ecosystem.

14 So from the School District's
15 perspective and also in reference to
16 anything you can provide regarding the
17 infrastructure bill, what steps do you
18 see that the District is taking in that
19 regard?

20 MR. ZOOK: Sure. So I guess
21 one of the biggest challenges for us,
22 there are a number of things that we're
23 looking to do. One of the largest
24 challenges as I'm sure you all hear is
25 financing and bonding, insurance

1 requirements for small businesses. It
2 can be difficult to get that.

3 So one of the things that we
4 want to get back to is hosting these
5 inperson sessions where we can have
6 small businesses come in and meet with
7 not just the School District, but also
8 connect them to The Enterprise Center.
9 So historically, we have people like The
10 Enterprise Center and other
11 organizations who can help with
12 financing, help connect them with other
13 organizations to build their capacity.

14 And then the other aspect is
15 looking at how we award our contracts.
16 So obviously, being the School District
17 a lot of our contracts are very high
18 dollar value. If some of those
19 contracts can be broken down into
20 smaller dollar amounts, they can be
21 available to smaller businesses that may
22 not have the capacity at this time. And
23 if they have a few of those smaller
24 contracts as primes, they can build up
25 their capacity. So that's one thing

1 we're looking to do, is make sure that
2 we can identify opportunities that are
3 of the size that a smaller business can
4 bid on and have the bonding capacity for
5 and insurance capacity for and to build
6 up to larger contracts.

7 COUNCILMAN GREEN: So you spoke
8 about partnering with The Enterprise
9 Center and the work that that entity is
10 doing and the work that Della Clark has
11 done for some time. Are you also
12 partnering with Ms. Clark and the work
13 that you're trying to provide and raise
14 equity? Because one of the issues that
15 a number of mature companies have is,
16 yes, they have debt, but they need
17 access to equity. So is the School
18 District using its resources and
19 relationships to help grow some of the
20 initiatives that she's trying to do in
21 reference to grow equity since you're
22 partnering with her?

23 MR. ZOOK: So it's not
24 something that we have been involved
25 historically, but it's certainly

1 something that we would be interested in
2 to connect small businesses with those
3 kind of capital resources and make the
4 relationships happen in our contracting
5 process.

6 COUNCILMAN GREEN: Well, I mean
7 for example the School District partners
8 with just like the City of Philadelphia,
9 you work with a number of investment
10 banks, other entities as well as just
11 like the City has deposits, you also
12 have deposits so you work with a number
13 of financial entities, and I think the
14 work that she's trying to do through the
15 Innovate Capital Growth Fund would be an
16 opportunity where the School District
17 could really say, yes, we're trying to
18 grow Black and Brown businesses here in
19 the City of Philadelphia and we're not
20 going to do it through the traditional
21 way, debundling contracts, but we're
22 going to use our resources and help
23 connect with the entities that we work
24 with that can help her and The
25 Enterprise Center grow equity, because

1 that's something that is also not part
2 of the ecosystem.

3 And I'm doing a lot of work on
4 the issue regarding access to credit
5 because we don't have a real
6 infrastructure that can provide credit
7 and guarantees for businesses to grow.
8 But on the equity side --

9 (Background interruption.)

10 COUNCILMAN SQUILLA: Excuse me.
11 Wendy --

12 COUNCILMAN GREEN: Ms. Green-
13 Harvey, if you could put yourself on --

14 COUNCILMAN JOHNSON: Excuse me.
15 Can everybody put your phone on mute
16 please if you're not speaking. Sorry,
17 Councilman Green.

18 COUNCILMAN GREEN: Thank you.
19 And Ms. Green-Harvey, I know your father
20 as well.

21 But on a similar perspective,
22 if we can look at how we can look into
23 on the equity side because that's
24 something that we don't see and we don't
25 have the capacity that we need for Black

1 and Brown businesses, especially mature
2 businesses, to not just go into debt but
3 also to grow equity in that space, and
4 that's something that can help grow
5 those businesses.

6 So the fact that you're
7 partnering with Ms. Clark and the
8 Enterprise Center on the one aspect, I
9 think it makes sense for you to also
10 partner with her to help her grow her
11 fund through some of the relations you
12 have at the School District.

13 MR. ZOOK: Yeah, absolutely.
14 It's something that we would definitely
15 be interested in, finding innovative
16 ways to grow businesses and address some
17 of the real concerns because it's not
18 ultimately just about is there a
19 contract available to bid on. It's like
20 you mentioned, do they have the equity,
21 do they have the financial stability for
22 these contracts. And it's something
23 that we will be very interested in
24 participating in.

25 COUNCILMAN GREEN: And that

1 call is open to all the other witnesses
2 on here as well to not only help in that
3 effort, but also help to really focus on
4 how do we get existing mature businesses
5 to grow so they can hire more people in
6 our City as well.

7 Thank you, Mr. Chair.

8 MR. ZOOK: Absolutely.

9 COUNCILMAN SQUILLA: Thank you.

10 Thank you.

11 Councilmembers, are there any
12 other questions?

13 (No response.)

14 COUNCILMAN SQUILLA: Seeing
15 none, we'll have Ms. Nevins. Like I
16 said, if you can testify and I know Jeff
17 Horenstein, if you want to jump on right
18 after Ms. Nevins because I know you have
19 to depart.

20 Anne, just state your name for
21 the record and proceed with your
22 testimony.

23 MS. BOVAIRD NEVINS: Thank you
24 so much. Good afternoon, everyone. My
25 name is Anne Bovaird Nevins and I am

1 President of PIDC. Thank you for having
2 me here today, Chair Squilla, Vice-Chair
3 Domb and of course Councilmember Johnson
4 and all of the members of the Committee
5 on Commerce and Economic Development.

6 I am here today to share the
7 mission and vision of PIDC as it relates
8 to diversity, equity and inclusion
9 within our organization and in our
10 practices through contracting,
11 programming and services. And I would
12 particularly like to thank
13 Councilmembers Johnson and Jones for
14 their dedicated service as both members
15 of this Committee and of PIDC's Board of
16 Directors.

17 PIDC is Philadelphia's economic
18 development corporation and we often
19 describe our mission as driving growth
20 to every corner of Philadelphia. At the
21 beginning of 2021, PIDC set forth six
22 strategic priorities to guide our work.
23 And at the top of those priorities is a
24 commitment to playing a leadership role
25 in Philadelphia's economic recovery from

1 the impacts of the pandemic and to
2 deploying PIDC's resources across all
3 that we do in terms of lending, business
4 support services, our real estate
5 activities and leveraging our own
6 purchasing power in ways that address
7 racial inequity and poverty in
8 Philadelphia.

9 As noted in the Philadelphia
10 Equitable Entrepreneurship Ecosystem
11 Assessment and Strategy, which is the
12 same report that Karen Fegley referenced
13 earlier and was released last year by
14 the United Way, the Commerce Department
15 and PIDC, we identified that Black,
16 Indigenous and people of color residents
17 represent the majority of Philadelphia's
18 population, but the City's diversity is
19 not reflected in its business ownership.
20 While Black and Latino or Latina
21 residents make up 44 percent and 17
22 percent of the population, they only own
23 5 percent and 4 percent of all employer
24 businesses in our City, respectively.

25 The study found specifically

1 that BIPOC entrepreneurs are especially
2 underrepresented among Philadelphia's
3 emerging high-growth high-wage
4 industries, including the City's
5 advanced manufacturing and medical
6 technology sectors, and these are the
7 things that we must work together to
8 address.

9 PIDC is currently undergoing a
10 strategic planning process, which
11 explicitly seeks to incorporate a racial
12 equity lens to align and bring into
13 focus our leadership opportunities in
14 Philadelphia's economic recovery. We've
15 invited all Councilmembers to provide
16 input in this planning process as key
17 stakeholders in our work and look
18 forward to partnering with you.

19 A key element of that planning
20 process is the creation of an equitable
21 framework for PIDC's contracting and
22 procurement, where we recognize where we
23 have made strides but that we have
24 significant room for growth and
25 improvement. This framework will

1 outline a strategic approach to
2 expanding our opportunities and
3 strengthening PIDC's partnerships with
4 diverse businesses.

5 The three main pillars will be
6 understanding and establishing
7 unequitable policy based on best
8 practices, developing and implementing
9 specific strategies for contracting and
10 procurement and establishing processes,
11 procedures and key performance
12 indicators to measure our work and
13 impact.

14 And while that framework
15 development is about planning for the
16 future, we are committed to this effort
17 right now and appreciate the opportunity
18 to report to you on our current efforts,
19 which also help us to identify where we
20 have more work to do. So as I review
21 these numbers with you, please note that
22 the contract amounts are total amounts
23 approved and may include spending over
24 one- or two-year periods that cut across
25 calendar years. And we do provide this

1 on a more detailed basis through our
2 quarterly reporting to the Office of
3 Economic Opportunity.

4 I'm going to review about three
5 years of data. So in 2019, PIDC or PAID
6 approved 36 contracts totaling \$18.2
7 million of which 10.5 percent were held
8 by Minority Business Enterprise or MBE
9 firms and 9 percent by Women Business
10 Enterprise or WBE firms. 5 of those
11 were with MBEs as primes and 7 with WBEs
12 as primes. That year our single largest
13 is \$6.2 million, which was 34 percent of
14 our total contracting and had 0 percent
15 participation.

16 In 2020, PIDC or PAID approved
17 29 contracts totaling \$24 million, of
18 which 17.5 percent were held by MBE
19 firms and 13 percent by WBE firms, so
20 increases in both. 10 of those were
21 with MBEs as primes which was doubling,
22 and 6 with WBEs. That year our single
23 largest contract was for \$17 million,
24 which was 70 percent of the total
25 contracting, and had 17 percent MBE

1 participation and 12 percent WBE
2 participation.

3 In 2021, PIDC or PAID approved
4 37 of our typical contracts, which
5 totaled \$4.6 million, of which 31
6 percent were held by MBE firms and 16
7 percent by WBEs. 18 of those were with
8 MBEs as primes, and 9 with WBEs. In
9 addition to that contracting in 2021, we
10 also entered into a 10-year operating
11 and maintenance contract totaling about
12 \$4 million per year for our Navy Yard
13 utility with a company called Dominion
14 Energy, a publicly traded firm, that is
15 neither an MBE or WBE.

16 However, part of the selection
17 process included evaluating the
18 company's commitment to environmental
19 sustainability as well as diversity,
20 equity and inclusion. So under this
21 contract, Dominion will also manage
22 major repairs and capital projects to
23 the Navy Yard utility which are
24 anticipated to total somewhere between
25 \$20 million and \$40 million over that

1 same 10-year contract period.

2 For those repair and capital
3 projects, Dominion has agreed to achieve
4 or exceed the participation goal set by
5 OEO of 18 to 23 percent MBE and 12 to 17
6 WBE, and further agree to a combined MBE
7 and WBE commitment of a minimum of 40
8 percent total over that term.

9 We are seeking to ensure that
10 our commitment to inclusive procurement
11 and expanded opportunities for MBE and
12 WBE companies is front and center across
13 all aspects of our organization, we know
14 that we still have much work to do. For
15 example, we have not disaggregated our
16 contracting data by race and ethnicity
17 and including the intersection with
18 gender, but we will do so for our prior
19 two years and provide that information
20 to this Committee.

21 Through our efforts, we strive
22 to become a model for procurement
23 diversity to enhance local businesses
24 and contribute to a vibrant
25 Philadelphia. Our commitment at PIDC

1 given our mission around economic
2 development really goes beyond just the
3 contracting side of things. As we look
4 at how we can support minority- and
5 women-owned enterprises to participate
6 in Philadelphia's economic future, one
7 example of this that I know is very
8 important to Councilmember Johnson since
9 this is his District is the recent
10 process to select a new development
11 partner for the future phases of growth
12 and development at the Navy Yard. In
13 selecting that partnership, we put
14 diversity, equity and inclusion at the
15 forefront of the selection.

16 Our process strongly encouraged
17 all bidders to include minority equity
18 ownership as well as robust diverse
19 business participation, which we believe
20 is setting a new standard and
21 expectation not only for our own
22 projects, but for development in
23 Philadelphia as a whole.

24 In selecting the combined team
25 of Ensemble Mosaic to become the new

1 private development partner at the Navy
2 Yard, the group's commitment to DE&I at
3 all levels, including their ownership,
4 really helped their proposal to stand
5 out in a highly competitive selection
6 process.

7 Beyond that process, we
8 continued our commitment through the
9 developer agreement negotiation and
10 working collaboratively with the team of
11 Ensemble Mosaic to support their efforts
12 and create a bold commitment to DE&I.
13 So far that team has hired over 20 local
14 and national minority, women, veteran
15 and other disadvantaged business
16 enterprises for over \$7 million in
17 contracts, which total about 50 percent
18 of the spend for the current phase of
19 this project.

20 Into the future, their
21 commitment includes minority equity
22 investment for all projects, community
23 investment platform that will allow
24 Philadelphians to invest through crowd
25 funding in the ownership of the projects

1 at the Navy Yard, a charitable
2 foundation that will be funded with some
3 of the proceeds from the development to
4 support economic empowerment of
5 minorities and women in real estate, a
6 commitment to both diverse and local
7 workforce participation in construction,
8 business opportunities in terms of
9 affordable tenant spaces for minority
10 and women retail businesses, including
11 subsidized lease terms and an internship
12 with local universities to bring
13 opportunities to minority and female
14 students.

15 PIDC believes that the model
16 example at the Navy Yard will lead to
17 and has even in some cases led to
18 subsequent projects adopting a similar
19 approach in creating new opportunities
20 for Black and Brown developers in our
21 City. We are also pairing this to
22 increased access to capital for those
23 developers.

24 Over the last two years, we've
25 provided somewhere in the range of \$27

1 million to developers of color, both
2 for-profit and nonprofit entities for
3 development projects throughout the
4 City. We're also strongly committed to
5 deploying financial and business
6 education resources to communities that
7 have been historically disenfranchised
8 from access to capital. PIDC has a
9 broad set of activities and services
10 that are specifically targeted to
11 support minority business enterprise
12 contracting outside of large development
13 projects.

14 Our contract line of credit
15 provides support to small-, minority-,
16 women- and disabled-owned businesses
17 that need a line of credit to fund
18 contract-related working capital.
19 Currently, PIDC is supporting 13
20 contractors through that product and
21 related business supports. Of those
22 businesses, 77 percent are Black-owned,
23 8 percent Latino-owned, 15 percent
24 White-owned and 31 percent women-owned.

25 We are committed to supporting

1 these small business owners, that they
2 not only receive much-needed capital,
3 but also education services from PIDC's
4 business experts. Through client
5 engagement and one-on-one support
6 services, our team provides business
7 supports and education to help with the
8 development of the knowledge around
9 financials, market opportunities to grow
10 businesses and how to navigate City and
11 state standards and regulations.

12 We are to that end hosting an
13 upcoming series of workshops in
14 partnership with the SBA this month, so
15 next month a three-part series
16 particularly focused around federal
17 contracting opportunities. Addressing
18 longstanding institutional racism is a
19 complex multi-faceted and long-term
20 effort.

21 We acknowledge that this work
22 requires actively engaging stakeholders,
23 listening to community leaders and
24 experts, reflecting and intentionally
25 developing equitable economic

1 opportunities that will support minority
2 business development that is inclusive
3 of every Philadelphian. PIDC is
4 committed to long-term change so that
5 together we can create a city and
6 economy that supports every
7 neighborhood, allows all of our citizens
8 to thrive and drives growth to every
9 corner of the City. Thank you very much
10 for the opportunity to be here today.

11 COUNCILMAN SQUILLA: Thank you.
12 Councilmember Johnson.

13 COUNCILMAN JOHNSON: Yes.
14 Thank you very much, Anne. And a lot of
15 this information you provided I know
16 just from being a part of the Board and
17 working with my Chief of Staff Chris
18 Sample and so forth. Could you just
19 provide either today or to the Board --
20 you broke down the expenditures of the
21 contracts that have been distributed --
22 but within the categories just the
23 actual demographics.

24 And so, that's the theme today.
25 So we can do a deeper dive on separating

1 the support for predominantly African
2 American and Hispanic businesses
3 separate from rather it be LGBTQIA
4 businesses or veteran businesses or
5 women businesses, which we all support,
6 right. But we want to definitely make
7 sure around African American and
8 Hispanic businesses, that there's an
9 emphasis there. Do you have any direct
10 data reflecting that information today?

11 MS. BOVAIRD NEVINS: I don't
12 have it today, Councilmember, but we
13 will look at that for our last two years
14 and provide that back to the Committee
15 as soon as possible.

16 COUNCILMAN JOHNSON: Yes,
17 please provide that to the Board. And
18 then just last but not least regarding
19 Mosaic Ensemble, right, something that
20 I'm very proud of because I watched that
21 process and I've been a member of the
22 Board since 2011, so I would not be
23 totally transparent if I didn't say that
24 you totally changed the paradigm shift
25 in terms of diversity and inclusion on

1 how PIDC operates.

2 And no knock to anybody that
3 was previously before you because we had
4 good relationships as well, but it's
5 just a different level of engagement and
6 zero-like focusing on this issue and who
7 would have thought during that time
8 period that an African American firm
9 would be responsible on a 10-year plan
10 at the Philadelphia Navy Yard. And so,
11 definitely kudos to you and your team
12 for that robust process in making sure
13 that we pick an individual that has a
14 commitment to diversity and inclusion,
15 particularly the work that needs to be
16 done at the Philadelphia International
17 Airport. And so, that's all I have at
18 the moment.

19 But I will let my colleagues
20 ask another question and if it comes
21 back to me, I'll let you know. But
22 that's all I have at the moment, Anne.

23 MS. BOVAIRD NEVINS: Thank you,
24 Councilmember. Appreciate it.

25 COUNCILMAN JOHNSON: You're

1 welcome.

2 COUNCILMAN SQUILLA: Thank you,
3 Councilmember.

4 Councilmember Quinones-Sanchez,
5 do you have a question?

6 COUNCILWOMAN QUINONES-SANCHEZ:
7 Thank you, and thank you to my
8 colleagues for holding this hearing.

9 And, Anne, I know we have a
10 meeting pending. I also have a data
11 request if you could submit to the
12 Chair. When you spoke around access to
13 capital, you talked about the work
14 you're doing around 13 contractors and
15 so forth and some of the work that
16 you're doing there. Could you provide
17 the data around where your investments
18 are outside of contracting, your loan
19 products, and then break that down
20 demographically?

21 As you know, the conversation
22 is always around access to capital,
23 access to capital. And while I want to
24 encourage the work around supporting 13
25 contractors, I want to know of the

1 lending that PIDC has done, and please
2 separate the one that is RCAP-related
3 because those are required by the state
4 versus your traditional lending by
5 demographic information. That would
6 also be helpful to us in looking at what
7 is a real crucial part of this
8 conversation.

9 MS. BOVAIRD NEVINS:

10 Absolutely, Councilmember. I will be
11 happy to do that, so we will get that
12 information to the Committee as well. I
13 can speak to it. I mentioned the
14 demographics for our contract line of
15 credit, but I can also speak to it
16 briefly if you'd like regarding our
17 Restart PHL Loan, which is probably the
18 largest -- which is the single largest
19 business lending program that we have
20 been running really over the last two
21 years, and that is part of our economic
22 recovery efforts.

23 To date, we have approved
24 around 53 loans to small businesses in
25 that program, close to \$6 million. And

1 in terms of the racial demographic
2 breakdown for that program, we have 14
3 percent Asian- or Asian American-owned,
4 31 percent Black- or African American-
5 owned businesses, 18 Hispanic- or
6 Latino-owned businesses within that
7 product. But we'll review the data
8 comprehensively and get that over to you
9 for all of our lending activities.

10 COUNCILWOMAN QUINONES-SANCHEZ:

11 I'm encouraged by the increase of the
12 numbers, although I will say I'm
13 extremely disappointed in how bad the
14 numbers were prior to what you outlined
15 in 2022. Those of us who -- the City
16 has an extensive relationship with PIDC.
17 And when I looked at your contracting
18 numbers, 10 percent in 2019, 17 percent
19 in 2020, and now 31 percent, although
20 the spend is a lot less.

21 Can you speak specifically as
22 to what you have done differently to
23 increase and what other things are you
24 looking to do in the future so that
25 there is a greater number of

1 participation in the contracting part?

2 MS. BOVAIRD NEVINS: Sure.

3 Absolutely. So as I mentioned, that's
4 really a critical part of our strategic
5 planning activities. So we are right
6 now under contract with a Black
7 woman-owned firm which is called
8 Mattison Advisors that is our strategic
9 planning partner, so they're working
10 with us on kind of a relatively broad
11 scope. But one very specific piece of
12 it is coming up with the new policies,
13 procedures and practices related to
14 contracting and procurement. So that's
15 actually a big part of the scope that
16 they're working on now.

17 All Councilmembers have been
18 invited to participate in an upcoming
19 session with Mattison Advisors. We
20 would love to engage with Council, make
21 sure that we get your input as we look
22 holistically at PIDC's overall
23 strategies, but specifically around this
24 contracting and procurement.

25 So we've identified a lot of

1 areas for improvement in terms of how we
2 do what we do, including some of the
3 things that have been talked about
4 already on this call. So previously we
5 had not been disaggregating the data by
6 race and ethnicity, including looking at
7 that intersection with gender as
8 Councilmember Gilmore Richardson made
9 very clear in her earlier questions, so
10 that is absolutely something that we
11 will be doing going forward.

12 And we've seen this with our
13 lending activity too. Councilmember, if
14 you had asked me that question about our
15 lending data and breaking that out by
16 race and ethnicity three years ago, I
17 wouldn't have been able to do it for
18 you, but that is something that we have
19 shifted in terms of our practices. And
20 I think you can't change what you're not
21 measuring, so taking those steps are
22 some of the things that we are very
23 focused on.

24 I would say even given the
25 example of the strategic planning work

1 that we're undertaking as an example,
2 when we went to procure that, that was
3 going to be something that we were
4 paying for as PIDC. We didn't have any
5 federal funding. We didn't have any
6 state resources that were coming into
7 that that might dictate a certain type
8 of procurement process, so we went and
9 asked for recommendations for
10 specifically minority-owned firms who do
11 that type of service that we could
12 potentially partner with, and we got a
13 really robust list and kind of built
14 that out, and we used that to undertake
15 our solicitation process because we felt
16 that that was very important in terms of
17 who we wanted to work with and how we
18 wanted to partner.

19 So again, where we have
20 flexibility to undertake procurement in
21 a way that -- for those situations where
22 we have our own kind of maximum
23 flexibility, I think we're really just
24 trying to think differently about how we
25 started, also how we build relationships

1 and how we think about our client base
2 as opportunities to build relationships
3 to support people, not only in terms of
4 the access to capital that they need,
5 but how are we connecting those
6 businesses with real opportunities to
7 grow and scale.

8 I think that is part of the
9 excitement that we have that I know
10 Councilman Johnson referenced about the
11 Navy Yard and the fact that this is at
12 least a decade, probably a multi-decade
13 build-out under the new development
14 partnership of Ensemble Mosaic and how
15 we can work collaboratively with them as
16 they go out and develop a pipeline of
17 buildings and operations and retail
18 tenants and everything that needs to
19 happen, how can we pull together all of
20 PIDC's other resources, our lending, our
21 business education, other types of
22 supports to comprehensively help
23 businesses to really have opportunities
24 to grow and scale and try to pull all of
25 those pieces together. So we're

1 thinking about how we can do better and
2 very much welcome the opportunity to
3 engage with Council in those strategies.

4 COUNCILWOMAN QUINONES-SANCHEZ:

5 And then finally, I go to the Navy Yard
6 and I always think it's a different
7 world, but fortunately it is a different
8 world than the rest of the City. Speak
9 to me about what are the challenges and
10 what is the goal-setting that you're
11 going to do around ensuring that your
12 investments are more equitable around
13 the City and other neighborhoods beside
14 the Navy Yard. So speak to me about
15 what PIDC is thinking in that regard.

16 MS. BOVAIRD NEVINS: Sure.

17 Absolutely. And I would say in terms of
18 our capital and our lending activities,
19 the vast majority of that really takes
20 place outside of the Navy Yard. So we
21 certainly spend more of our lending
22 resources both with small businesses as
23 well as development projects outside of
24 what we do at the Navy Yard.

25 And again, I know you asked for

1 that data, Councilmember, and we will
2 provide that after this hearing. But
3 again, I would point to our lending
4 particularly in terms of focusing on
5 developers of color. So as I mentioned,
6 we've been looking at what we've done
7 over the last two years. I think these
8 numbers are actually a little dated now
9 because we closed some things in the
10 fourth quarter of 2021 that probably
11 aren't reflected. But it was around
12 \$27.5 million of lending to projects all
13 around the City.

14 I don't think any of them were
15 at the Navy yard actually, so all
16 outside in neighborhoods from Strawberry
17 Mansion to Wayne Junction to Sharswood
18 that are led by developers of color,
19 both for-profit and nonprofit. I think
20 our lending was somewhere in the \$27.5
21 million range, and the total project
22 costs were around \$120 million
23 throughout different neighborhoods of
24 the City, and we'll be sure to include
25 that in the data that we send over.

1 COUNCILWOMAN QUINONES-SANCHEZ:

2 Thank you. And again, I'm a little
3 frustrated to learn that some of this
4 capturing of data around ethnicity was
5 not happening prior to your leadership.
6 But we're destined to repeat history if
7 we don't learn from it. So speak to me
8 about how you're going to go back and
9 look at the disparity that existed and
10 how that's going to influence your
11 goal-setting as you move forward.

12 MS. BOVAIRD NEVINS: Yes,
13 absolutely. I think as we are going
14 through this strategic planning process
15 one of the things that we are
16 incorporating within that is the setting
17 of new key performance indicators. So
18 we had had previously a three-year
19 strategic plan that took PIDC through
20 from 2018 to 2020. And as part of that
21 plan which was determined in 2017 and
22 then covered the next three-year period,
23 our aggregated goal at that time was for
24 PIDC's business lending resources to
25 achieve 50 percent combined minority and

1 women business participation, and we
2 were able to meet that goal. But I
3 think to your point, Councilmember, that
4 that's not enough relative to where we
5 are right now in really addressing the
6 significant disparities that we see in
7 the City.

8 So for example in the Restart
9 PHL Loan that I mentioned, we
10 specifically set a goal of achieving 50
11 percent lending to historically
12 disadvantaged-owned businesses which
13 include Black or African American,
14 Hispanic, Asian or Asian American,
15 Native American and Pacific Islander, so
16 that is one way in which we've already
17 increased the goals over the last couple
18 of years. And as part of how we look at
19 the strategic planning process, setting
20 those key performance indicators in
21 terms of what should our targets be
22 going forward and how are we going to
23 ensure that we continue to measure,
24 track and report out on those
25 transparently is going to be a big part

1 of that process.

2 COUNCILWOMAN QUINONES-SANCHEZ:

3 Thank you, Anne. And let me remind you
4 that PIDC has because of the way you're
5 set up and the table in which you
6 operate, you have a lot of access to
7 banks who have historically red-lined
8 and not provided equitable disbursement
9 and sometimes that supported PIDC,
10 right, to meet some of their own legally
11 required CRA requirements, really going
12 to look in the next year about how you
13 set those goals and how you use your
14 voice and your table to advocate because
15 the disparity, particularly in the
16 banking institutions, even as we do
17 economic development in the community,
18 we continue to see the numbers are not
19 equitable and in some of the investments
20 that some of the banks are doing, how
21 you shape some of those partners that
22 are at your table, shape the kind of
23 investments that they make.

24 I represent, for instance,
25 South Kensington that is quickly

1 gentrifying and I see some of the
2 investments coming in, but they're not
3 going to people that look like me,
4 right. They're going to the new people
5 that are moving in, not the folks that
6 are there. So we all have a role to
7 play around advocating for the banking
8 institutions and the ones that grant you
9 money or lending opportunities to make
10 sure that they're doing a better job at
11 their investment practices in these
12 neighborhoods.

13 And now, the new game is you're
14 investing in certain zip codes but they
15 don't tell you who they're investing in,
16 and those folks again continue not to be
17 people who look like me. So it's
18 something that we all have a
19 responsibility to continue to monitor
20 and advocate for. And the frustrating
21 part about government is we can't ask
22 the private sector to do what we don't
23 do, right. It's like we got to do it
24 first to show that it can be done, and
25 then we can hold others accountable in a

1 more transparent way.

2 So I appreciate your work and
3 your effort and look forward to looking
4 at some of these data sets that will
5 come in and again the goal-setting,
6 because ultimately that becomes
7 important about where we're going
8 because we know where we've been, and we
9 don't want to go back there. All right.
10 Thank you.

11 Thank you, Mr. Chair.

12 MS. BOVAIRD NEVINS: Thank you,
13 Councilmember.

14 COUNCILMAN SQUILLA: Thank you,
15 Councilmember.

16 Councilmember Green.

17 COUNCILMAN GREEN: Thank you,
18 Mr. Chair.

19 And, Ms. Nevins, thank you for
20 your work at PIDC. It's interesting, I
21 had earlier talked about an individual
22 who needed some additional access to
23 credit, and you had reached out. He
24 actually reached back out to me. It was
25 a clerical error that a City department

1 made which is why he did not get his
2 most recent invoice paid, which we
3 believe it will be connected. But I
4 will make that introduction with you and
5 him.

6 But one of the things that a
7 number of people talked about and I had
8 an engaged conversation with Ms. Tipton
9 earlier is access to credit. I know
10 we've had a lot of conversations, and
11 Councilmember Sanchez just talked about
12 issues in reference to banks and red
13 lining. And I know we've had quite a
14 bit of conversations regarding public
15 banking and the Philadelphia Public
16 Financial Authority about providing
17 access to credit through layers of
18 credit and other credit enhancements.

19 And I think you would agree
20 that access to credit is a major issue
21 within the City, especially for Black
22 and Brown businesses. And I know you're
23 working with the Accelerator Fund, which
24 is an entity that is helping to address
25 issues with Black developers and working

1 closely with them to establish kind of a
2 working framework, and I think it's that
3 type of cooperative work that needs to
4 occur both through this hopefully future
5 entity as well as PIDC.

6 Can you talk a little bit about
7 how you're working with the Accelerator
8 Fund who on paper both you and the
9 Accelerator Fund are very similar, but
10 you're kind of working together to help
11 grow development in the City for
12 especially Black and Brown developers,
13 which is an issue that's a concern,
14 especially with all of the development
15 that's happening in the City of
16 Philadelphia?

17 MS. BOVAIRD NEVINS: Sure.
18 Absolutely. Thanks for the question,
19 Councilmember, and thank you for your
20 focus around the capital access needs
21 for small businesses. So in terms of
22 the Accelerator Fund, it's interesting,
23 PIDC from our mission perspective has
24 always focused on jobs, commercial,
25 industrial and in more recent years

1 mixed-use type of activity throughout
2 the City. And we have not traditionally
3 focused on supporting projects that are
4 only -- I shouldn't say only, that are
5 specifically housing.

6 And so, when the concept of the
7 Accelerator Fund started to get
8 underway, it sort of felt like, okay,
9 PIDC, we have all of these resources and
10 we're putting those resources towards
11 projects that again fit into those
12 commercial, industrial, mixed-use,
13 retail, job-creating type of projects,
14 and the Accelerator Fund was really
15 focusing specifically around the
16 incredibly important issue in our City
17 of affordable housing, and sitting side
18 by side.

19 I think as time went on and as
20 we started to have more collaborative
21 and more in-depth conversations with our
22 partners at PIDC and also with the City,
23 it became increasingly clear that at
24 this point in time PIDC is really
25 focused on the clients that we already

1 work with that I mentioned in terms of
2 developers of color, Black and Brown
3 development companies, and that was a
4 big target of what the Accelerator Fund
5 was seeking to do as well. So not
6 necessarily just focusing on development
7 of affordable housing, and for PIDC not
8 necessarily just focusing on getting
9 projects done, but really who is our
10 target market and that's really where
11 the intersection started to I think come
12 clearly to light. And, Councilman, you
13 were a part of some of those
14 conversations in kind of connecting
15 those dots.

16 So I think as we both realized
17 that's really who we are focused on
18 supporting with our capital and other
19 resources, we started to say, well, how
20 can we work more effectively if we came
21 together in some form of relationship,
22 make it easier for Black and Brown
23 developers to not have to go through
24 multiple front doors or maybe miss out
25 on if there's a project that could

1 benefit from both the resources of the
2 Accelerator Found and of PIDC.

3 So again, we're still really in
4 the kind of trading ideas, trading
5 paper, trading possibilities in terms of
6 how we can partner together to make the
7 whole greater than some of the parts.

8 But we think that there's a there,
9 especially because PIDC already has
10 through PIDC Community Capital an
11 established CDFI that can be a mechanism
12 that I think can help to support what
13 the Accelerator Fund is seeking to do as
14 they go into their path to ultimately
15 raise more capital and support more
16 development as well.

17 COUNCILMAN GREEN: Yeah, I'm
18 glad you raised and gave that background
19 because that type of partnership is what
20 we need in the City. The fact that PIDC
21 and the Accelerator Fund and hopefully
22 soon the Philadelphia Public Financial
23 Authority working collaboratively
24 together to provide access to credit and
25 provide lending on the one side, but

1 having that relationship with the City,
2 with SEPTA and with the School District
3 so that way entities that are coming to
4 those organizations that need more
5 access to credit, that need access to
6 lending projects, that we're working
7 collaboratively so we're helping to grow
8 businesses in our City.

9 And when we have the numbers I
10 talked about earlier, we can't have the
11 silos of our financial financing
12 entities over here and the City, the
13 School District and SEPTA coming into
14 contact with those businesses who are
15 doing either some work or would like to
16 do more work with those businesses, but
17 they know they need access to credit or
18 need access to traditional lending. So
19 hopefully, the collaborative work that
20 you're doing with the Accelerator Fund
21 and also with the finance authority in
22 the future will also lead into
23 collaboration with the City and SEPTA
24 and the School District, so that way
25 we're helping and providing ecosystem

1 not only on the contracting side, but on
2 the financing side and access to credit.

3 Thank you, Mr. Chair.

4 MS. BOVAIRD NEVINS: And thank
5 you, Councilmember. We share that as
6 well. And I certainly will be following
7 up from this hearing. Our teams already
8 work closely together on identifying
9 contractors that are seeking or have
10 active opportunities with entities like
11 SEPTA or entities like the School
12 District, but I think that there's
13 clearly more collaboration that can
14 occur.

15 And I will make sure that I
16 follow up with my counterparts across
17 those organizations and make sure that
18 we are offering all the resources that
19 PIDC has to be able to help the
20 businesses that are seeking to do more
21 with those entities to get what they
22 need.

23 COUNCILMAN JOHNSON: Mr. Chair.

24 (No response.)

25 COUNCILMAN JOHNSON: If he's

1 not available, I'm going to ask next for
2 Steve. I'm going to call on Steve --
3 Regina Kellog from -- Regina Hairston,
4 excuse me, sorry, from the African
5 American Chamber of Commerce.

6 MS. HAIRSTON: Good afternoon,
7 Chairman Squilla and members of the
8 Committee on Commerce and Economic
9 Development. My name is Regina
10 Hairston, President and CEO of the
11 African American Chamber of Commerce of
12 Pennsylvania, New Jersey and Delaware.
13 And I am here to testify on behalf of
14 Resolution 210966.

15 I thank the sponsor of this
16 resolution, Councilmember Johnson, for
17 instructing this Council to further
18 examine an issue that continues to
19 plague our City, a City that for years
20 have constantly failed in addressing the
21 core issue of equal opportunity, a City
22 where African Americans are the majority
23 representing 44 percent of its citizens.

24 The latest Annual Disparity
25 Report from the Office of Economic

1 Opportunity, which is the 2020 report,
2 indicates that slightly less than 20
3 percent of City contracts were awarded
4 to minority-owned businesses. More
5 specifically, Black-owned companies only
6 won 11.5 percent of City contracts and
7 Hispanic-owned businesses earned about
8 3.5 percent. These results are
9 disproportionate to the City's
10 population.

11 The Philadelphia Equitable
12 Entrepreneurship Ecosystem Report
13 produced in partnership with the United
14 Way, the Commerce Department and PIDC
15 further indicated that Black and Brown
16 businesses often lack the capacity to
17 compete for large contracts or City
18 contracts in large part due to the
19 availability of opportunities that will
20 allow these businesses to grow.

21 In fact, the Disparity Study
22 identifies many of the barriers that the
23 corporate and public sector have
24 discussed for years, such as frustration
25 with the bidding process, more

1 specifically that the requirements are
2 complicated, time-consuming and the
3 belief that the City favors large
4 businesses that have a track record of
5 working with government entities, the
6 difficulty connecting with and working
7 with prime contractors and the view that
8 the prime contractors have established
9 relationships which select subcontracts
10 and utilized the same subcontractors for
11 various work, and the skepticism of the
12 City's ability to pay invoices on time
13 indicate the payment process is very
14 challenging as cash flow is critical to
15 daily operations of small businesses.

16 With the forthcoming
17 infrastructure dollars from the Biden
18 Administration making its way to the
19 City, we have a once-in-a-lifetime
20 opportunity to encourage, to encapsulate
21 and ensure that Philadelphia's Black and
22 Brown population have equal access and
23 opportunity to funding that will build
24 capital for future generations. But
25 these investments must be intentional at

1 every level and at every sector that
2 include, but is not limited to, more
3 diversity and top levels of government
4 that are in the decision-making process
5 and ability for departments to be held
6 accountable that don't work to meet
7 M/W/DSB goals, develop a more
8 transparent streamlined process for
9 businesses to participate and greater
10 support in navigating the City's
11 procurement system and process.

12 For our City truly to achieve
13 inclusive equitable growth, we have to
14 be committed to wanting to change the
15 disparity. The day that the City's
16 purchasing and contracting more goods
17 and services from Black and Brown
18 businesses must be secondary to ensuring
19 that those businesses have the
20 opportunity to receive prime contracts.
21 This is the time to achieve equity and
22 ensure all Philadelphians have the
23 opportunity for prosperity. Thank you
24 for your time and consideration today.

25 COUNCILMAN JOHNSON: Thank you,

1 Regina. And I appreciate I guess I will
2 call it the front line feedback from the
3 businesses that you work with that's a
4 part of the Chamber that added to this
5 particular hearing.

6 Any questions or comments from
7 members of the Committee?

8 (No response.)

9 COUNCILMAN JOHNSON: All right.
10 Thank you very much, Regina.

11 MS. HAIRSTON: Thank you.

12 COUNCILMAN JOHNSON: Next we're
13 going to have Jeff Horenstein from
14 Pennsylvania Economy League.

15 (No response.)

16 COUNCILMAN JOHNSON: Jeff may
17 have had to step off the call. And if
18 he did, we're going to call on Ms. Joann
19 Bell from the Black Women's leadership
20 Council.

21 (No response.)

22 COUNCILMAN JOHNSON: Let me see
23 if he stepped off. Ms. Joann --

24 MS. BELL: I just have to
25 unmute. Can you hear me?

1 COUNCILMAN JOHNSON: Yes, I
2 can.

3 MS. BELL: So thank you,
4 Councilman Johnson, for asking me to
5 testify today and thank you to the
6 Committee. So I want to start, in 1984
7 Philadelphia elected its first Black
8 Mayor with the hope and the promise that
9 the Black Philadelphia would participate
10 in the financial growth. We're 38 years
11 later, and we are still fighting the
12 same group of businessmen that have a
13 depth grip on the City.

14 Now, public policy is what
15 we're discussing here today, but I'm
16 going to go away from my text that I had
17 started with in the beginning, because I
18 listened very intently and I normally do
19 a radio program where I have to sit
20 still for three hours, so this is a long
21 period of time. So I listen intently.

22 I listened to the School
23 District. I listened to SEPTA. I
24 listened to the City representatives at
25 large. All knew that they were coming

1 here today to testify, and the
2 resolution that you had very clearly
3 laid out what you saw as the problem,
4 that 11 percent went to African
5 Americans and so forth and so on.

6 I noticed that nobody --
7 everybody showed up, but they were not
8 able to break down the categories. I
9 would think that if I'm being asked to
10 testify, that I would assemble staff, I
11 would have had that information and I
12 would have been ready to address it,
13 whether it looked good for me or not
14 because it is about going forward and
15 improving it.

16 They don't collectively give me
17 the sense that they fully understand
18 that sometimes we do things in -- and
19 this is something that you check off on
20 the box, that you got to do in order to
21 get to the next step. Unless and until
22 we put the heat and the pressure on the
23 people, they're not going to change.
24 They haven't changed in 38 years. We've
25 had 38 years to be able to address this

1 problem. We come back every other year
2 with the sense of urgency, some of us,
3 but it never gets done.

4 Let me tell you why it doesn't
5 get done. If we don't select people in
6 the positions, and I'm not just talking
7 about the underlings that have to report
8 up, but if we don't get the right people
9 at the top, they're not going to send
10 the right message. If we do not get the
11 right commissioners and secretaries and
12 all of the other people who understand
13 that a part of their job is to make sure
14 that this happens and that they will be
15 judged by that, they're not going to do
16 it because they don't see it as
17 important. They're comfortable in their
18 own skin with supporting those things
19 that feel good for them and helps the
20 constituency that they feel much more
21 aligned to.

22 Now, I argue -- I heard
23 Councilman Green say 25 percent poverty,
24 I think it's higher than that, but
25 there's a direct correlation between the

1 poverty in this City and the lack of
2 opportunities. I sit with a business
3 roundtable and many of the members of
4 this roundtable run companies that's
5 around \$100 million. They're located in
6 Philadelphia, but most of their business
7 comes from out of Philadelphia. They
8 struggle to stay here. They struggle to
9 stay here. One told me he can do
10 business easier in Alabama than he can
11 in Philadelphia.

12 We have a problem here. And
13 the problem is will, the will to do it.
14 Not the talk because I heard a lot of
15 rhetoric this morning. Metrics and
16 this and that, rhetoric. You have to
17 have the will to want to do it. How is
18 an RFP written and who writes it. Who's
19 the review team and is it diverse.

20 We have prime companies who get
21 selected and because they know that they
22 need a minority company, they bring a
23 minority company and they give them the
24 worst part of the work so that they can
25 get rid of them. There's no

1 enforcement. There's no investment,
2 very little investment here. If you
3 know what the problem is, we do not have
4 the investment that goes along with the
5 interest. It's public policy, it's
6 interest and it's investment. And if
7 you don't have those three, we will have
8 the same conversation, Council, next
9 year, year after next. And then we'll
10 clutch our pearls and wonder why our
11 kids are shooting at each other, because
12 we rob them of all opportunity.

13 And before COVID, I say this on
14 my show, the Black Women's Leadership
15 Show, that if you go downtown -- this is
16 before COVID -- in the middle of the
17 afternoon and watch who comes out of the
18 office buildings, you will not see any
19 of the people who we need to see working
20 in Center City in and around these
21 corporations. They don't have
22 opportunities. They don't even have
23 opportunities in their own neighborhoods
24 because the investments are not being
25 made.

1 So I'm at this point, unless we
2 get from the top down the kind of people
3 in office and the kinds of people that
4 are appointed who are very interested in
5 solving this problem, not give us their
6 rhetoric, but solving the problem, we're
7 going to be right back here again. And
8 guess what, I'm going to be back here
9 again telling you the same thing.

10 So I appreciate the invitation.
11 I'm not one that's an easy person to
12 come and tell people what they want to
13 hear. I tell you the things that you
14 don't want to hear. So I just think
15 that we need to start with making the
16 changes and being serious about these
17 changes, and it really rests not just
18 with you, Council, it rests on the 2nd
19 floor as well. I appreciate your
20 inviting me. Thank you.

21 COUNCILMAN JOHNSON: Thank you
22 very much, Ms. Joann. As always, thank
23 you for your insight and always speaking
24 truth to power.

25 Will the Clerk please call the

1 next panel.

2 THE CLERK: Yes. Can we please
3 have Donna Allie, Aqil Sabur and George
4 Burrell please.

5 MS. ALLIE: I'm going to turn
6 mine over to Aqil.

7 COUNCILMAN JOHNSON: Before we
8 bring on Aqil, any questions or comments
9 from members of the Committee? I'm
10 sorry.

11 (No response.)

12 COUNCILMAN JOHNSON: Okay.
13 Hearing none, Aqil.

14 (No response.)

15 COUNCILMAN JOHNSON: Aqil, are
16 you there?

17 THE CLERK: He's on,
18 Mr. Chairman.

19 MR. SABUR: Good afternoon,
20 everyone. So basically what we want to
21 do is first and foremost, we --

22 COUNCILMAN JOHNSON: Aqil, can
23 you just state your name.

24 MR. SABUR: I'm very sorry,
25 very sorry. My name is Aqil Sabur,

1 Executive Vice-president of Team Clean,
2 Inc. And Team Clean is a janitorial
3 services and maintenance company that's
4 been in existence for the last 40 years
5 headed up by Ms. Donna Allie. And I
6 really would like to thank all the
7 parties that have facilitated this with
8 the Chairman and Councilman Johnson and
9 all that are present.

10 And we have a unique experience
11 in the public sector of procurement that
12 basically has resulted from tenacity,
13 taking advantage of the opportunities
14 that have been set forth in public
15 policy, taking the bricks and backs
16 associated with making it happen for our
17 company and also for the employees.

18 And also, some successes and
19 testimonies gone throughout the day, we
20 have experienced pretty much everything
21 that has been spoken of with respect to
22 some of the challenges. So what we
23 basically wanted to offer very simply
24 was the recommendation to enforce
25 vigorously what exists with respect to

1 public policy laws enacted by City
2 Council, laws that are supported by the
3 state and federal statutes to ensure
4 that opportunity is there.

5 One of the issues that we
6 basically have looked at over the years
7 is that minority companies are no
8 different from the Fortune 500 firms
9 that receive massive subsidies and
10 support in the aerospace industry, in
11 military procurement, agriculture
12 support dollars to facilitate the
13 growth, sustainability of those sectors.
14 And so, it seems as though there is an
15 aversion to want to include other
16 members of society, Black and Brown, to
17 engage in this same process of taking
18 advantage of a lot of the opportunities
19 that are put forth by the public sector.

20 So there are robust enforcement
21 procedures within OEO that can be
22 enforced. There's the collaboration
23 that should take place between Finance
24 and also the Procurement departments
25 with respect to companies getting paid,

1 and we would like to say that we've had
2 an excellent relationship after going
3 through some pains, but we've had an
4 excellent relationship in our
5 procurement process, our bidding process
6 for the City, and also we're getting
7 paid after some delay in that regard,
8 but it's not the type of thing that we
9 would want to see with the companies
10 that exist today, the Black and Brown
11 companies that exist today, and those
12 companies to follow to go through a
13 40-year process of getting upscale.
14 We're in an era where that's really
15 unacceptable given the technology, given
16 the access, given the globalization of
17 opportunities.

18 So essentially, one small bit
19 of recommendation that we would like to
20 make is there's a process within City
21 government where it's known as the
22 certified payroll. We have to basically
23 make sure that we are paying our people
24 according to the prevailing wage that is
25 set by the City and there's a process

1 that we have to go through to certify
2 that, and everyone here is pretty much
3 familiar with that.

4 What would be very helpful in
5 the process of enforcing that provision
6 is that if there is a time when a small
7 company, midsize company, minority firm,
8 female firm has not met that requirement
9 timely, that a notice is provided to
10 that company prior to an enforcement
11 action taking place, because there's
12 been a disconnect. There's an
13 enforcement action when a company has
14 failed to comply either by virtue of not
15 being aware, but then there's a delay
16 process with respect to the contracts
17 being awarded and also funds being paid
18 or invoices being paid in a timely
19 manner.

20 So what basically happens is
21 that labor standards may freeze in
22 receivables that that company is
23 entitled to until the problem is
24 resolved. When in actuality, the basis
25 with this practice, similar to the

1 revenue service or similar to any of the
2 taxing agencies, they provide notices
3 that they intend to do X, Y, Z and give
4 you a time to remedy it before any
5 action takes place, because freezing
6 receivables of a company puts them at a
7 disadvantage when it comes to payroll
8 and everything else associated with your
9 capital being frozen.

10 Also, the monitoring aspect
11 with the OE0 really has to be set with
12 respect to all of the new dollars that
13 have been talked about on this call, and
14 we will recommend -- this is our second
15 recommendation -- that a special unit, a
16 special unit is set up to facilitate the
17 monitoring of all of these federal
18 dollars that are coming into the City to
19 ensure inclusion and a diverse spend
20 among the businesses that have typically
21 been set up, so that's just really our
22 summary.

23 We did not want to make any
24 other contributions to this call except
25 for those two policy recommendations,

1 basically ensuring that companies get
2 paid in a timely manner and there is no
3 hold up in their payments, to provide
4 adequate notice and to put the
5 appropriate mechanisms in place to make
6 sure these hundreds of millions of
7 dollars that are going to the City are
8 spread out. Thank you.

9 COUNCILMAN JOHNSON: (Muted).

10 MR. BURRELL: You're on mute,
11 Mr. Chairman. You're on mute,
12 Councilman.

13 COUNCILMAN JOHNSON: Thank you,
14 Aqil. That's very, very informative
15 with specific recommendations, and you
16 also provided some input regarding the
17 notification process which is an
18 eye-opener to me. You can't really
19 penalize an individual without giving
20 them proper notice regarding their
21 payroll program, but thank you for those
22 recommendations.

23 Any questions or comments from
24 members of the Committee?

25 (No response.)

1 COUNCILMAN JOHNSON: Donna,
2 would you like to go on the -- do you
3 have any comments, Donna Allie?

4 MS. ALLIE: No, I'm going to
5 wait until George has his comments.

6 COUNCILMAN JOHNSON: All right.
7 Thank you very much.

8 Mr. Burrell, just state your
9 name for the record.

10 MR. BURRELL: George Burrell.
11 And thank you very much, Councilman.
12 And it's one of the misfortunes of going
13 last or close to last as a lot of what
14 you were going to say has either been
15 said or you're going to contradict it.
16 And as the pessimist in the crowd, I'm
17 probably going to contradict more than
18 I'm going to agree.

19 But having participated in
20 public life since 1976, I often reflect
21 on why Black business participation and
22 the award of prime contracts are not
23 higher priorities. Black businesses are
24 underutilized assets in our City.
25 Increasing Black prime contracts,

1 increasing Black participation will
2 accelerate Black contractor positioning
3 in the main stream economy, and Black
4 businesses will increase subcontract
5 with Black brothers and sisters to
6 create Black blue- and white-collar
7 jobs, all of which are in need of in the
8 City today.

9 John Street as Mayor created
10 signature opportunities for Black
11 businesses, including black women like
12 Loraine Brown, Cheryl McKissack, Pat
13 Corbin and Lana Felton Ghee. But
14 unfortunately, despite periodic winners,
15 administrations and public agencies have
16 not made the review and decision-making
17 changes in procurement protocols
18 required to deliver proportionate Black
19 participation as a predictable outcome.

20 Only PIDC today made any
21 reference to the procurement process,
22 and the biggest problem for Black
23 businesses were prime contract
24 opportunities and/or subcontract
25 opportunities is the malfunction of the

1 procurement process in the City and
2 public agencies. Structural change is
3 mandatory. It requires more than access
4 to capital in distributing
5 infrastructure dollars fairly.

6 Some of the presenters have
7 already contradicted my thoughts. They
8 challenge Black business preparedness,
9 describe intermediate solutions and
10 recommit to change. But decades of
11 broken promises and Black demographics
12 demonstrate existing strategies require
13 transformation. Blacks win virtually no
14 prime contracts and participate in 8 to
15 12 percent of annual City spending
16 because procurement personnel, project
17 managers and prime contractors
18 intentionally or coincidentally
19 discriminate. The status quo has become
20 the norm and absent competitive
21 incentives with consequences, prime
22 contractors have no motivation to expand
23 Black participation and business growth
24 that could negatively impact their
25 preferred White subcontractors.

1 Achieving Black proportionate
2 participation requires difficult
3 decisions. It requires increasing the
4 percentage of annual spending with
5 protected class businesses and thereby
6 reducing prime contractor spending or
7 protected class spending has to be
8 redistributed, likely negatively
9 impacting White women.

10 In that context, the Black
11 business community needs building
12 capacity and proportionate participation
13 to be a moonshot priority and members
14 with aspirations should fix the now and
15 future for unborn entrepreneurs.
16 Expanding the staffing, power and
17 influence of the Office of Economic
18 Opportunity in procurement and project
19 management warrants consideration.
20 Given civil service restrictions,
21 increased OEO staffing and power can add
22 diverse participation and perspective to
23 procurement reviews and rewards.

24 With OEO oversight, City
25 departments also should be required to

1 appoint diversity officers responsible
2 to prepare and submit annual and
3 individual department participation
4 plans and goals. The Mayor's cabinet
5 and CEOs of public agencies should have
6 public accountability for annual
7 participation outcomes.

8 City Council should recommend
9 City and public agencies retain
10 consultants -- and I applaud PIDC for
11 having done this -- including Black
12 firms to provide aggressive
13 recommendations for transforming
14 procurement protocols and producing
15 proportionate outcomes -- proportionate
16 Black outcomes. Their work product
17 should be presented in public hearings.

18 We also should begin to
19 consider what are the changes that need
20 to be made that can change outcomes.
21 RFP responses should be required to name
22 Black subcontractors and describe the
23 quality and value of work to be awarded.
24 Quality pricing and profit margins
25 should be factors in scoring and

1 awarding contracts. Quality of work is
2 essential for Black business growth.
3 And the process that too often allows
4 prime contractors to select subs after
5 contractor awards facilitate
6 discrimination. Consideration also
7 should be given to reviewing
8 subcontracts after awards to confirm
9 consistency. Often times prime
10 contractors really put it to
11 subcontractors after they've won the
12 contract and the City disappears.

13 Attention should be paid to the
14 sophistication of work awarded to Black
15 businesses beyond certification
16 standards but eligible for local
17 contracts. Too often they're given
18 low-level low-margin assignments to
19 protect preferred majority
20 subcontractors.

21 Program sponsors -- some have
22 spoken to this today. Program sponsors
23 should unbundle contracts to create
24 sheltered markets where Black businesses
25 can compete for prime contracts. And

1 there's been a lot of discussion today
2 about prime contracts and prime
3 contracts are important, but there are a
4 lot of really successful rich White
5 subcontractors in Philadelphia. We
6 should not be overlooking that there is
7 real potential in subcontracts, and
8 everybody wants to push us in the
9 direction of prime contracts. Not
10 everybody's going to get to be a prime
11 contract. It just doesn't work that
12 way.

13 What is interesting to me,
14 encouraging Black contractors to be
15 engaged in RFP preparation and using
16 that participation towards satisfying
17 percentage participation requirements
18 should be considered. In the current
19 process, Black businesses are rarely
20 ever prepared -- participating in the
21 preparation process because it doesn't
22 count, so White businesses don't put
23 them in. If you put them in, under this
24 circumstance the only Black businesses
25 that get any money are the ones who wind

1 up on the winning team. But if you
2 count the dollars spent in preparation
3 and made that a factor of competition,
4 then you will find more White businesses
5 including and will create a new revenue
6 stream for those businesses that doesn't
7 exist today.

8 Given City Council's
9 transparency legislation, RFP should
10 require copies and the review process
11 should consider evaluating the diversity
12 program of prime contractors as a part
13 of the City process. You all talked
14 earlier today about how do we leverage
15 the influence of agencies. Well, that's
16 one of the ways that you can use the
17 transparency information that you
18 collect.

19 Percentage participation should
20 be assigned to all contracts, low bid,
21 best value and sole source. Failure to
22 satisfy participation should disqualify
23 bidders and high bars should be mandated
24 for granting waivers. Black
25 participation also should be mandated in

1 change orders.

2 And the percentage
3 participation measured against all
4 businesses is because the percentage
5 that we see, and I know this was a fact
6 with the state and it's probably a fact
7 with the City, is that it's not all of
8 the dollars spent by the City that is
9 used to calculate minority
10 participation. Usually low bid
11 contracts are left out, and it's usually
12 a percentage of the dollars spent in
13 spaces where they determine that there
14 are Black businesses to compete.

15 So if they determine that there
16 are no Black businesses to compete,
17 those dollars won't go into the
18 denominator. So when we did that at the
19 state, the state's Black participation
20 went from 11 percent to 4 percent when
21 you include all of the dollars in, and I
22 guarantee the City's is likely go to
23 down also. And percentage participation
24 should be assigned to all contracts, to
25 low bid contracts, to best value

1 contracts, to sole source contracts.
2 You force them to find ways. You just
3 don't have to have businesses who can do
4 the specific things in there. There are
5 all kinds of services that can be
6 provided in contracts. Somebody's got
7 to drive the sole source information
8 somewhere, and there are lots of ways to
9 be able to do that.

10 Annual dollars with protected
11 class businesses also should be
12 calculated based on actual dollars paid,
13 not contracted. It shouldn't be on an
14 accrual basis. It should be on the
15 actual dollars paid in a fiscal year to
16 those businesses. And as it should be,
17 as I said as a percentage of dollars
18 spent for all goods and services.

19 Professional service contracts
20 awarded to majority firms should
21 allocate some percentage of origination
22 fees to Black members of law firms and
23 accounting firms. Fee origination helps
24 obtain partnerships and equity
25 participation. Forums should be

1 provided for subcontractor protest.
2 Otherwise, Blacks are at the discretion
3 of prime contractors who rely on Blacks
4 oversight to protect arbitrary behavior.
5 Because protective class participation
6 can be achieved, and you talked about
7 this today, with black businesses at 8
8 to 12 percent, the City reported over 30
9 percent participation last year. Black
10 participation must be monitored and
11 managed carefully, and you all have
12 expressed that point very aggressively
13 today.

14 And you might also find it
15 interesting for the Committee to meet
16 with the Department of General Services
17 Deputy Secretary Kerry Kirkland to hear
18 transformative changes the Commonwealth
19 has made to procurement, project
20 management and bipartisan legislation
21 that's been introduced into the General
22 Assembly.

23 And I will probably get tarred
24 and feathered for the following: But I
25 am a firm believer that Philadelphia

1 should welcome Black businesses from
2 around the country. We shouldn't close
3 our doors because our company -- you
4 take a PRWT, those companies want to
5 compete. And nationally, if you close
6 our doors, they're going to get their
7 doors closed to them. You can't -- and
8 we allow Black financial advisors from
9 all over the country to come in here and
10 do our financial work with the Seibert,
11 Branford and all of those firms that are
12 outside, so I think we can be very
13 careful about foreclosing it to
14 outsiders.

15 And the last two things, given
16 Philadelphia's changing and ethnic mix,
17 multi-cultural, personal and
18 professional relationships are
19 important. Absent relationships, race
20 will continue to impede progress. City
21 Council should establish forums to
22 facilitate those relationships.

23 And in closing, I am not
24 critical of efforts to create access to
25 capital, build Black business skills,

1 improve current spending numbers and
2 rewarding prepared businesses, but the
3 short-term winners, one-time
4 infrastructure dollars and good
5 intentions without structural change
6 will not transform the future and cannot
7 be allowed to camouflage the essential
8 need for change. Thank you all.

9 COUNCILMAN JOHNSON: Thank you
10 very much, Mr. Burrell --

11 MS. ALLIE: May I add
12 something to say, just a few words,
13 please, Councilman.

14 COUNCILMAN JOHNSON: Yes.

15 MS. ALLIE: Donna Allie,
16 President of Team Clean. And I'd just
17 like to talk about a few of the programs
18 in my past that have worked, and it
19 seems like we have kind of gotten away
20 from this. And one of the programs, for
21 lack of a better term, programs was the
22 Pennsylvania Convention Center. Years
23 ago, and George can probably tell you
24 about this, there was a protest to
25 get -- when the Convention Center was

1 built, they wanted Black and Brown
2 workers there, they wanted Black and
3 Brown companies and they did that. I
4 was one of the firms that was selected
5 but as a subcontractor and went in as a
6 subcontractor.

7 But not only did they put us in
8 as subcontractors and give us the work,
9 the Convention Center Board and I guess
10 what was called then the Diversity Board
11 met with us every quarter to make sure
12 that we were succeeding in that
13 particular contract, what could they do
14 for us to generate more business, every
15 Black contractor in there. It wasn't
16 only about getting the contract. It was
17 about keeping the contract. And then
18 I'm just going to go back and they say
19 you shouldn't pine in the past, but I am
20 pining the past, when Marla was at OEO,
21 I guess it was called the Minority
22 Business Development Council. But at
23 the time when they put us Black
24 contractors in there, they gave us
25 contracts or, you know, we were able to

1 get contracts with prime contractors,
2 but Marla met with us.

3 Whenever there was an issue, a
4 problem with payment, I remember back
5 then the prime contractors didn't want
6 me in there. They locked the door when
7 there were night meetings, do all kinds
8 of terrible things so that my contract
9 was at City Hall and I was cleaning City
10 Hall. Most of the meetings were at
11 night. They did all kinds of terrible
12 things so that I wouldn't participate or
13 feel comfortable in that contract. So
14 Marla would meet with me. Marla would
15 meet with the contractors and let them
16 know that this was not acceptable.

17 So I'm just saying things like
18 that, advocates for us, places that we
19 can go, there are problems that I have
20 had in all types of contracts over the
21 past five or six years, but nowhere to
22 go, nowhere to advocate. And I'm a
23 growing business, right. I'm not the
24 startup, so we still have issues too.
25 So I think one of the things is getting

1 the contracts but keeping us in there
2 and ensuring that there is a path to
3 grow for us would be also important.
4 Thank you.

5 COUNCILMAN JOHNSON: Thank you
6 very much, Ms. Allie.

7 I know there's a question for
8 Mr. Burrell. Councilwoman Maria
9 Quinones-Sanchez.

10 COUNCILWOMAN QUINONES-SANCHEZ:
11 Thank you, Mr. Chair.

12 And to George, I appreciate his
13 consistent advocacy over the years. We
14 all know and I think Joann touched on
15 this and folks have touched on this,
16 this whole procurement process and part
17 of how people write up and exclude
18 people in the writing of a procurement.

19 But one of the challenges
20 outside of the political will from up
21 top, one of the challenges we have faced
22 with departments is we have the same
23 contractors who bid for multiple
24 departments, right. And one of the
25 challenges that we have is when they are

1 not meeting their goals, they are so far
2 into their contract that the Law
3 Department and others say it is not in
4 our best interest to remove them from
5 the contract, and I think Aqil talked to
6 this.

7 When you were under the Street
8 Administration, what tools did you
9 use -- because I think until we remove
10 people from contracts and show them that
11 we're serious, we're not going to do
12 this -- what were some of the tools that
13 you used when contractors didn't meet
14 their goals? Because outside of
15 removing them from the contract and
16 hurting their pocket, the behavior is
17 not going to change because they know
18 they can get away with it.

19 We have not disqualified -- I
20 think we disqualified three contractors
21 in the 14 years I've been in Council.
22 Can you speak to that?

23 MR. BURRELL: I think the
24 failure in the Street Administration --
25 I tell people this all the time --

1 because I was responsible in the Street
2 Administration for awarding contracts to
3 people of color and we did a very good
4 successful job of it, but the failure is
5 we didn't change the process. So once I
6 left, the process that does all of the
7 things that you just described got back
8 into play and we've gotten what we've
9 gotten since then.

10 At some point, Councilwoman,
11 that's why I said what I just said, I
12 think you need to empower OEO. You need
13 to expand their staff and you need to
14 give them power in the procurement
15 process. And in the procurement
16 process, you need to do what the state
17 does, and that is they set a percentage
18 participation requirement. And if you
19 don't meet that percentage participation
20 requirement, you are disqualified. You
21 are thrown out of that bid process.

22 What they also require is that
23 once you are awarded -- and they require
24 that you name the subcontractors that
25 are going to be awarded in your contract

1 and they identify what I've already
2 said, identify specifically what is the
3 work they're going to be given, what's
4 the contract value and what are the
5 profit margins and within the 30 days
6 after the award -- and then all of that
7 becomes a consideration, a specific
8 consideration, in the review process.
9 So if you have percentages, 7 percent
10 attached to it, 5 percent attached, so
11 it becomes significant to find
12 contracts.

13 It could be the percentage that
14 makes the decision about whether they
15 win or lose, where now we often times
16 let the prime contractors pick the
17 subcontractors after they win so it's
18 irrelevant. And then once they've done
19 that, they require the prime contractor
20 who wins to deliver them a signed
21 contract with Black subcontractors for
22 the work they said they were going to
23 give them at the price they said they
24 were going to give it to them with the
25 profit margins because what happens --

1 and I see Keith Bethel sitting over
2 there, he knows this better than
3 anybody -- what often happens when prime
4 contractors are awarded the contracts
5 and agreeing to meet the percentage
6 goals and have told the prime
7 contractors who they're going to
8 contract with, they then go back to them
9 and say, hey, I got it now, I was going
10 to give you a contract for \$2,000, now I
11 got one for you for \$1200, and the
12 subcontractor is so happy to get a --
13 not so happy, but you got to take those
14 kinds of things.

15 And if you don't create a
16 process for which there are both
17 incentives to prime contractors and
18 consequences for their failure to
19 comply, they're just going to keep
20 behaving the way they do. So you have
21 to do it, Councilwoman, on the front
22 end. It's virtually impossible on the
23 back end. It's you get what you get,
24 complaints and try to fix things along
25 the way.

COUNCILWOMAN QUINONES-SANCHEZ:

No, I agree. When Rebecca Rhynhart was CEO, we spent a lot of time looking at this procurement, because one of my biggest frustrations is we have the same major contractors, the Streets Department, Water Department, all these guys. And I have struggled to get the Law Department and the Administration to say if you're not meeting your requirement on one contract, you are no longer a qualified bidder and we should exclude them as you said that the state is doing from the next bid process. But we have the same contractors misbehaving and they keep bidding on contracts from one department to the other and are not disqualified.

And I'm like if they're not meeting their goals at the Streets Department, what's going to make them meet their goals at the Water Department. Why are they still considered qualified bidders, so I agree with you.

1 And, Mr. Chair, and the sponsor
2 of this resolution, we should really
3 have the state come down and talk to us
4 a little bit about legally how we can do
5 that. One of my challenges with these
6 departments is they're halfway through
7 their contract and if they have to rebid
8 it out, there has to be a way in the
9 process where at some point we can
10 disqualify someone, go to the next
11 bidder quickly so that these guys don't
12 think they got us over the coals because
13 they're so into the contract that we're
14 not willing to walk away from them. And
15 in government because everything is so
16 delayed, that becomes the excuse.

17 For instance, in the Department
18 of Recreation when I got elected, I
19 learned very quickly one of the few
20 contractors that got disqualified was
21 from our District because I started
22 walking the construction work site every
23 week. The contractor had 12 contracts
24 and he would do the work to the jobs he
25 wanted to and then sit on the other

1 stuff. And I think all of those
2 practices that goes back to staffing
3 accountability and oversight, as a
4 government we don't do well. And so,
5 they hold us hostage.

6 So I look forward, Chair, of
7 this conversation and of this
8 resolution. We got to stop talking
9 about this and really do something about
10 it. It is shameful, it is shameful the
11 numbers that we have. And shame on us
12 as Joann said, 38 years later we're
13 still having the same conversation.
14 There has to be penalties for this. And
15 we know who the bad actors are. That's
16 the sad part about it. And they end up
17 on our list. They don't end up on my
18 list as it relates to some of my
19 departments because I've already crossed
20 those out, right, and I was like how is
21 this person better than this person and
22 so forth. But it is a challenge seeing
23 it across the board with our
24 departments. So we appreciate all of
25 your advocacy to all of you.

1 Thank you, Mr. Chair.

2 MR. BURRELL: Mr. Chair, I
3 would just say one thing. I generally
4 agree. The problem is procurement and
5 project management. You don't
6 necessarily want to lose good
7 contractors, but they're going to do
8 what you let them do. And the
9 Procurement Department and the project
10 manager are committed to them and let
11 them get away with this.

12 What they're doing is not
13 unknown. They're not doing it
14 undercover. They're not hiding it.
15 They've been quietly permitted to do it.
16 And if you don't bring your procurement
17 people and understand that project
18 managers are a part of this progress,
19 because once the contract is awarded,
20 it's the project managers who are giving
21 them waivers and letting them taking
22 work away from minority contractors.
23 And you've got to discipline that end of
24 the spectrum.

25 COUNCILMAN JOHNSON: Thank you

1 very much.

2 Any other questions or comments
3 from members of this panel?

4 (No response.)

5 COUNCILMAN JOHNSON: Thank you
6 for your testimony.

7 Next, I'm going to call on
8 Mr. Kevin Bethel from Philadelphia
9 Alliance. Please state your name for
10 the record.

11 MR. BETHEL: Keith Bethel.

12 COUNCILMAN JOHNSON: Keith
13 Bethel. I'm sorry, Keith. Keith
14 Bethel.

15 COUNCILWOMAN QUINONES-SANCHEZ:
16 That's his brother.

17 COUNCILMAN JOHNSON: Oh, that's
18 your brother for real?

19 MR. BETHEL: (Muted).

20 MR. BURRELL: You're on mute,
21 Keith.

22 COUNCILMAN JOHNSON: Can you
23 hear me?

24 MR. BETHEL: (Muted).

25 MR. BURRELL: And this is a

1 tech guy too.

2 COUNCILMAN JOHNSON: You might
3 still have your earpods on, Keith.

4 MR. BURRELL: He just took
5 those out.

6 COUNCILMAN JOHNSON: Yeah, but
7 if you don't take them off Bluetooth,
8 George, they will still be on.

9 MR. BURRELL: You know I don't
10 know nothing about that.

11 COUNCILMAN JOHNSON: Keith --

12 MR. BURRELL: You got five
13 seconds, Keith.

14 COUNCILMAN JOHNSON: Do you
15 want to log out and log back on?

16 MR. BURRELL: Do you want to
17 come over to my house. I think he
18 just --

19 COUNCILMAN JOHNSON: He logged
20 off and will come back.

21 So I will ask this: Sean, can
22 you call on the next panelist and we'll
23 come back to Keith to keep things moving
24 forward.

25 THE CLERK: Yes. The only

1 other person that we have is Karyn
2 Bruggeman.

3 MS. BETHEL: All right. Is
4 that better now?

5 COUNCILMAN JOHNSON: Okay.
6 Karyn, give us a second. Keith Bethel
7 is back on.

8 Keith, are you really Kevin
9 Bethel's brother?

10 MR. BETHEL: I am Kevin's
11 little brother, yes.

12 MR. BURRELL: And you used up
13 half of your time, Keith.

14 COUNCILMAN JOHNSON: Oh, wow,
15 that's my guy.

16 MR. BETHEL: Any time you go
17 after George Burrell, I mean -- hey,
18 Joann, if you get him to write a book,
19 all he has to do is collect all those
20 memos and put them in there and we'd be
21 good to go.

22 COUNCILMAN JOHNSON: So --

23 MR. BETHEL: So Council Chair,
24 Councilman Johnson and City
25 Councilmembers, thank you for the

1 opportunity to testify. I am Keith
2 Bethel. I'm the President and CEO of
3 the Philadelphia Equity Alliance, newly
4 formed and not-for-profit that really
5 looks at how do you bring together
6 alliances, and this has been a very
7 important topic with us.

8 I submitted written testimony,
9 but for time I'll shorten this to say
10 really the focus of our work has been to
11 look at broadly all the quasi government
12 and government agencies across the City
13 of Philadelphia. And I think we all
14 heard the problem. Across this City,
15 there are systemic issues that are
16 systemic issues of racial barriers for
17 Black and Brown individuals in the City.
18 And our research with McKinsey -- and
19 I'm joined today by Karyn Bruggeman
20 who's from the Nowak Metro Finance Lab
21 at Drexel.

22 Our research with McKinsey and
23 the team at Drexel clearly identified
24 there is significant opportunity for
25 advancing of Black and Brown businesses

1 and to deal not just with Black poverty,
2 but also to deal with the Black median
3 household incomes in the City of
4 Philadelphia.

5 We very often talk about
6 poverty. Poverty is a very low number.
7 We have more than 40 percent of the
8 people in Philadelphia, Black and Brown,
9 that sit between the median household
10 income of their White counterparts in
11 the City. And if we don't build both,
12 and that's about building generational
13 wealth and sustainable wages that are
14 significantly higher than they are
15 today.

16 So we spent six months doing
17 research with McKinsey on the minority
18 business partnerships. We looked at 10
19 quasi government and government agencies
20 and discovered there was about \$10.6
21 billion worth of opportunity that was
22 addressable spend for minority
23 participation. If you look at that,
24 only \$800 million of that was being
25 spent with Black- or Brown- and/or

1 women-owned businesses. And some of the
2 largest businesses are outside of
3 Philadelphia, female White-owned
4 businesses outside of the City of
5 Philadelphia. We think that that is
6 misaligned with really the goal and
7 mission of advancing minority
8 participation.

9 And so, when we finished that
10 work with McKinsey, we met with several
11 City Councilpeople, certainly the
12 Mayor's Office, the Department of
13 Commerce, to say why would we not look
14 at new ways to integrate the work across
15 the quasi government agencies and should
16 there be some shared form of a nerve
17 center that creates transparency and
18 consistent accountability that helps to
19 deal with the 18 different barriers to
20 entry that we saw for Black and Brown
21 individuals, and this included things
22 that Donna Allie, Malik Majeed, people
23 who lead significant companies in the
24 City of Philadelphia helped us to
25 identify barriers of entry around

1 certification.

2 And we talked a lot today about
3 capital and capital access. Long before
4 we get to capital access, we need to get
5 to fair contracting opportunities and
6 RFPs that are written in such a way that
7 is transformative. The barriers of
8 entry across multiple departments,
9 multiple agencies limit public
10 participation by individuals.

11 And I worked at Aramark for 32
12 years. Big companies are dependent upon
13 significant public sector spending.
14 Public sector spending becomes an anchor
15 to your revenue cash flow for any
16 minority business. So when we're
17 talking about building businesses,
18 public sector spending becomes the
19 anchor institution that allows you to
20 manage all your back office and other
21 expenses so you can go compete in the
22 private sector.

23 So we came forward with a
24 recommendation, should we consider some
25 form of quasi government agency or nerve

1 center that really would include both
2 state, federal, local, elected officials
3 along with private sector financing and
4 private sector leaders and civic leaders
5 who would jointly work on ways to create
6 transparency, leveraging things like
7 technology to look consistently.

8 No one today was able to give
9 real reports. I think as close as we
10 got is Anne Nevins who spent the past
11 two years trying to get really good at
12 this. But no one was really able to
13 give you clear details on Black
14 participation and Hispanic
15 participation. And I think to be poor,
16 Black and female in Philadelphia -- if
17 you're Black, female or Hispanic in
18 Philadelphia (inaudible) to be that, but
19 we have to deal with the idea that 42
20 percent of our population is African
21 American and we sit significantly below
22 any lines that are measured.

23 We also recommend that we would
24 look at cities who have done this work
25 well, like Los Angeles, Louisville,

1 St. Louis. People are starting to do
2 the work and putting together
3 collaborative teams, and George Burrell
4 will tell you no city is really doing
5 this well.

6 But what I would say is that
7 cities who have a firmer grip on pulling
8 together the alliances and the
9 transparency necessary to create a
10 better future. We should do this better
11 than everyone else, but we should follow
12 people who are doing those types of
13 leads, like Charlotte where you see Duke
14 Energy leading the process with the
15 mayor's office, you create a significant
16 access to capital fund. That's where we
17 see the future says could you create
18 some form of nerve center that
19 collaborates and pulls all those things
20 together and really start to try to
21 address in a common way significant
22 barriers to entry for Black and Brown
23 individuals across our City and economic
24 development.

25 With that, Mr. Chair, I'll turn

1 it over to you for questions. We did
2 provide a deck to the Chair, and
3 hopefully that deck is one that everyone
4 gets a chance to see. I do think
5 there's robust information. We share
6 this with many City Councilpeople,
7 one-on-one with the Mayor's Office and
8 Congress. And Karyn and I will be
9 available for questions.

10 COUNCILMAN JOHNSON: Thank you
11 very much, Keith.

12 Any questions or comments from
13 members of the Committee?

14 (No response.)

15 COUNCILMAN JOHNSON: Keith,
16 give me an overview. In your
17 presentation, you talked about 18
18 obstacles.

19 MR. BETHEL: Yeah, there are 18
20 significant obstacles, and we break
21 those down into the three big
22 categories, Councilperson. So the three
23 categories, one -- and, Karyn, feel free
24 to chime in -- the biggest is just
25 looking at what the entrepreneurs

1 themselves face. Certification, you
2 have multiple certification pathways in
3 the City of Philadelphia. Can we get to
4 a simplified common certification that
5 allows you to qualify, and there still
6 may be specific federal and state
7 requirements if you think about the
8 airport and other places.

9 But within the City of
10 Philadelphia, the School Board has \$1.2
11 billion in capital that's going to
12 deploy over the next five years. We
13 should have one common certification
14 process. So looking at things like
15 that, certification and barriers to
16 entry for the individual minority firms.

17 The other one with barriers is
18 the RFP process itself and purchasing
19 and re -- as we issue RFPs that have
20 more detailed accountability, and I
21 think George brought this up, more
22 transparency in the RFP process would
23 make it easier for minority
24 participants, not just primes, but
25 well-vetted and well-performing

1 subcontractors. I think I got a big
2 echo so hopefully y'all hear me.

3 COUNCILMAN JOHNSON: No,
4 everything is perfect on this end.

5 MR. BETHEL: All right. On
6 that subcontractor platform, for
7 example, if our subcontractor RFP
8 process included things like awards for
9 joint entry effort, access to capital
10 and actually being in the room for the
11 presentation and contracting process, it
12 eliminates some of things that we often
13 see and George did a great job
14 explaining how subcontractors get pushed
15 behind. By changing both the ordinance
16 and RFP processes across the spectrum,
17 then we actually are transformative.
18 Because long after we leave these roles,
19 we will see that the RFPs are anchored
20 in new process and policy.

21 I think the last one was
22 thinking about economic development and
23 real financial barriers to entry so how
24 do you create joint venture, capital
25 access. When you talk about capital

1 access, I spent 32 years at a Fortune
2 200 company. We can create any type of
3 capital access we want because we had
4 capital and we wanted minority
5 participants, we didn't have to worry
6 about capital. We can create
7 accountability in the private sector.
8 So I love that we made pledges, but
9 pledges need dollars. And those dollars
10 need to be able to be accessible to
11 minority firms. We need to target
12 minority firms for growth.

13 In my opinion, systemic racism
14 was a collaborative effort and so is the
15 unwinding of the impact. And so, we
16 need to figure out real new ways to be
17 collaborative. And I think the private
18 sector has much more freedom. So when
19 we do that in partnership with the
20 public sector, I think we get really big
21 rewards.

22 Karyn, do you want to add
23 anything to the idea around the 18 big
24 categories we've identified?

25 MS. BRUGGEMAN: No, I think

1 you've covered it. I think all of the
2 pain points that the research
3 encapsulated people have already
4 discussed today, but the deck that we
5 sent does a good job grouping them by
6 category and kind of cataloguing the
7 same types of obstacles for lack of
8 financing, legalistic RFP language and
9 legal and constitutional restrictions on
10 goal-setting across different agencies.
11 So I think Keith really captured it, but
12 it's a nice catalogue involving the
13 different challenges that have been
14 discussed today.

15 MR. BETHEL: Can I provide one
16 more example. A great example is that
17 \$1.2 billion going to the school.
18 School ordinance itself will limit the
19 ability because of the bonding
20 requirements for any Black or Brown firm
21 to participate in much of the building
22 of the Philadelphia Public School
23 District. How can we have a school
24 district where 88 percent of the people
25 are African American and you can't have

1 a single Black mom or dad build a
2 building. It's something fundamentally
3 wrong with that.

4 COUNCILMAN JOHNSON: Keith,
5 thank you very much for your insight and
6 your recommendations, very informative.

7 I'm going to call on Maria
8 Quinones-Sanchez, Councilmember, who has
9 a question.

10 COUNCILWOMAN QUINONES-SANCHEZ:

11 Thank you. And, Mr. Chair, let's make
12 sure that all of us get the deck. I'm
13 not part of this Committee so I want to
14 make sure I get the deck.

15 Keith, I appreciate it. You're
16 not the little brother. I know you say
17 that affectionately, but you're your own
18 person, although both of you are really
19 good guys. Your family must be really
20 proud of you. I had a question because
21 this whole certification piece has
22 become a challenge for many of the
23 businesses that we all know. We've
24 heard the stories about the wife who's
25 now the prime, but it's her husband's

1 firm and all this other stuff.

2 Government made a decision, I
3 don't know, 10 or 12 years ago not to be
4 in the certification business. How do
5 we create a certification process if
6 it's not government or otherwise to
7 facilitate this because whether people
8 have to wait on the SEPTA line or they
9 have to go to Jersey and do the
10 reciprocity, how do we clean up that
11 certification process that's become a
12 bottleneck?

13 MR. BETHEL: I think one of the
14 things you do is you leverage -- so
15 Philadelphia has the benefit of having
16 great practitioners. One of the things
17 you should do is leverage those
18 practitioners. People like Della Clark,
19 Jeff Horenstein who are actually
20 touching and spending time with the
21 businesses, they can become a great
22 certification agency that we would
23 utilize.

24 And places like Chicago and
25 others do this work, right, where they

1 have a recognized certification agency
2 within the City. I think that's where
3 the opportunity exists and you can
4 create transparency around it. I also
5 think transparency around who people
6 are, right. When someone is a newly
7 appointed female head of a partnership,
8 we should identify that so that you're
9 clear, City Council and others are clear
10 around the types of purchasing that are
11 being made, and you can create levels of
12 accountability around all of these
13 things. But I would say leveraging the
14 practitioners who are here is a great
15 way to create a certification effort.

16 COUNCILWOMAN QUINONES-SANCHEZ:

17 I have a question around procurement
18 because that's a whole big issue. And
19 again, that really depends on political
20 will and how we dictate to departments
21 fairness. Did you find in your work at
22 Aramark and other places that some of
23 the scoring that you're alluding to, you
24 know, giving people points for attending
25 the session, giving people points on how

1 their capital stack is, giving people
2 points for their partnership, was any of
3 that stuff legally ever challenged?

4 Some of the arguments sometimes
5 we hear when we're having these
6 procurement discussions and project
7 management, which by the way we don't
8 have solid project management in the
9 City, that's why people get away with
10 what they do, were any of those
11 procurement reforms ever legally
12 challenged because they may have been
13 looked at as affirmative goals? If we
14 said, you know, I know we have a local
15 business one, but every time we talk
16 about race or marginalized communities,
17 the legal debate is you can't do it.
18 Can you speak to that?

19 MR. BETHEL: I don't know.
20 Karyn, you may be able to weigh in. I
21 don't know that we saw specific legal
22 challenges. We did see legal barriers
23 that we saw legislation and/or policy at
24 the state or local level that did create
25 the barrier. And we may have seen at

1 the state level clearly legal
2 challenges, but I don't know that we saw
3 or recorded specific legal challenges
4 other than what we recorded barriers to
5 entry because of legal issues.

6 Karyn, did we see any specific
7 legal challenges?

8 MS. BRUGGEMAN: No, and I can
9 speak to the experience at Aramark. I
10 know private sector generally has much
11 more flexibility to innovate around
12 these programs, and I think realizing
13 people pursue change that different
14 entities report upwards to different
15 federal agencies but to have legal
16 standards, so SEPTA gets money from DOT
17 and so does the Airport, and they're
18 complying with their standards versus
19 the School District, you know, the 1.2
20 billion in flexible money they got from
21 ARPA. That money came from the U.S.
22 Department of Education which I don't
23 believe has any requirements around DBE
24 or MBE spending because they don't
25 typically give money like that to school

1 districts at a local. So realizing the
2 different kind of constraints or
3 different environments that all these
4 different entities are working with
5 impacts the type of legal challenge that
6 they could get depending on how they
7 spend their money.

8 I think one thing with the
9 research we did was simply realizing the
10 different layers of complexity, and
11 Keith has -- that complexity is what's
12 leading us to advocate for more
13 resources, more capacity around helping
14 not only businesses, but also the
15 procuring offices to navigate all of
16 this.

17 COUNCILWOMAN QUINONES-SANCHEZ:

18 And lastly, one of the biggest issues is
19 how do we grow these companies and
20 capacity has to do also with how do we
21 debundle. Any recommendations that you
22 saw around debundling of some of these
23 big contracts to create those
24 opportunities that we should be aware
25 of?

1 MR. BETHEL: I don't know that
2 we saw specific debundling efforts. I
3 do think we saw opportunities. So one
4 of the opportunities would be how do you
5 leverage PIDC for minority participation
6 when you have specific rules, but by
7 funneling dollars you could see
8 different functions.

9 So an example is we proposed
10 something with PIDC around school
11 buildings. Because if those projects go
12 to PIDC, PIDC has more freedom on how
13 they might use those capital dollars and
14 help to allocate and do minority
15 participation in that way, so that's
16 where we saw opportunity, and maybe
17 leveraging other entities.

18 COUNCILWOMAN QUINONES-SANCHEZ:
19 So you say PIDC again, and I think we
20 should all speak around the challenges.
21 The four-part bidding creates a total
22 disadvantage at the School District, and
23 turnkey projects at the School District
24 have become more efficient, more
25 effective and allows the School District

1 to have more flexibility.

2 Are you saying -- because one
3 of my concerns with some of these
4 discussions and I know they're
5 happening, we're still bypassing the
6 problem. Four-part contracting is
7 discriminatory.

8 MR. BETHEL: That's what I see,
9 right. So I want to say this, I
10 think -- and George raises this point
11 often -- talking about the things we do
12 is vital because the dollars are
13 flowing. So what I can't do is miss the
14 opportunity that you have billions of
15 dollars flowing into the City by
16 infrastructure, ARPA and access to
17 capital. But while you're doing that,
18 we shouldn't take our eyes off the long-
19 term things like you need to change the
20 process at Harrisburg. We need to
21 change four-part -- that work needs to
22 be done also, but I think that's going
23 to require, Councilwoman, more effort
24 than the more immediate things we can
25 do. So I think we've got to dribble

1 with both hands now the short-term while
2 we continue to not take our eyes off the
3 long-term initiatives that are there.

4 COUNCILWOMAN QUINONES-SANCHEZ:

5 So I agree with you. But I think we
6 have to call the discriminatory racist
7 structural problems. We got to call
8 them out. And I did one of the first
9 turnkey projects in my District and got
10 a lot of pushback around it, even though
11 we had the first LEED-certified school
12 building, more efficiency, built
13 21st-century learning activities.

14 I think we got to call that
15 stuff out so that we can, right, in the
16 interim create these other
17 opportunities, but not talking about
18 those structural issues because the
19 state has its rules and the feds have
20 their rules and they're not congruent.
21 We all know the Building Trades have
22 certain rules at the state that are not
23 required at the federal level. Then
24 they want local municipalities like
25 Philadelphia to follow, but we don't

1 have to follow. But again, no one has
2 the political will to say we don't have
3 to do it that way.

4 MR. BETHEL: And that's why I
5 do think something outside of City
6 government that does have resources,
7 right. So a nerve center that does have
8 resources to challenge at Harrisburg and
9 other places to advocate on behalf of
10 minority business development because
11 you do need to deal with school code,
12 you need to deal with other things. And
13 so, we look at both.

14 That's why I do think the
15 debundling is around taking apart some
16 of the issues, the systemic issues that
17 sit either inside of procurement and
18 other places. I think one of the things
19 with big companies if you write the RFP
20 in such a way, big companies will
21 respond and minority businesses will
22 grow and they will grow in big fair
23 partnerships if you write the RFP in
24 such a way to make the firm accountable.

25 COUNCILWOMAN QUINONES-SANCHEZ:

1 Thank you. Thank you so very much.

2 Look forward to working with you as we
3 move forward.

4 Thank you, Mr. Chair.

5 COUNCILMAN JOHNSON: Thank you
6 very much.

7 Sean, any other panelists? Any
8 people for comment?

9 THE CLERK: No, sir, that's the
10 last person that we have scheduled. But
11 I do see that someone has their hand
12 raised with a question.

13 COUNCILMAN JOHNSON: Yes, they
14 can go ahead and speak.

15 THE CLERK: Ms. McNamara.

16 MS. McNAMARA: No, nothing from
17 me. Thank you.

18 THE CLERK: Okay. Then that's
19 it, Mr. Chairman.

20 COUNCILMAN JOHNSON: Well, one,
21 I want to take a moment and thank all of
22 my colleagues including Councilwoman
23 Maria Quinones-Sanchez -- you're not
24 even part of the Committee -- for
25 joining us for this very, very important

1 discussion. I know we work on a lot of
2 issues here in the City of Philadelphia,
3 I'm a strong advocate around the issue
4 of gun violence, but I also recognize
5 that the inequality, right, and making
6 sure that Black and Brown people are
7 having an opportunity to build
8 generational wealth currently right now
9 in the City is an injustice.

10 And I know that the root cause
11 of the gun violence that I am seeing is
12 the lack of opportunity. And if people
13 don't have opportunities, then we will
14 see the continued sense of gun violence
15 that we're seeing day in and day out.

16 And so, I thank all the
17 panelists for taking time out of their
18 schedule to add to this discussion. I
19 know we're going to have a follow-up
20 Part 2 as well. But most importantly,
21 George talked about this as well as
22 Joann talked about this, and y'all are
23 two individuals I highly respect and
24 have been around, right, and really
25 using your expertise right now to make

1 sure that this generation gets it right,
2 right, because we shouldn't be going 10,
3 20 years later still talking about the
4 same issues over and over and over.

5 And at the end of the day, it
6 does take political will. It does take
7 some sacrificing in terms of speaking
8 truth to power and in some cases being
9 unpopular. Because at the end of the
10 day if you're going along and getting
11 along, you're never going to get
12 anything done. And with that -- change
13 comes with, you know, stepping up and
14 really making people feel uncomfortable
15 about how we need to change. Other than
16 that, you're continuously seeing the
17 same thing day in and day out. And I
18 just thank all of you for taking time
19 out of your schedule.

20 I know, Ms. Donna, you've been
21 around for a while fighting the good
22 fight, but we need 10 Donnas. We need
23 10, 20 Team Cleans here in the City of
24 Philadelphia. Another 30, 40 PRWTs,
25 right. And that has to be the mentality

1 in terms of how we operate.

2 We probably have more African
3 American-elected officials on City
4 Council. On a state level we got a
5 Congressperson as well and we probably
6 control about every major
7 government-elected position that the
8 City of Philadelphia has to offer, so we
9 must do better. And again, I thank
10 everybody for taking time out of your
11 schedule and joining this dialogue.

12 Thank you, Mr. --

13 COUNCILMAN GREEN: Mr. Chair.
14 Mr. Chair.

15 COUNCILMAN JOHNSON: Yes.
16 Chair recognizes Councilman Green.

17 COUNCILMAN GREEN: Thank you
18 for your leadership on this issue. I
19 also commend you for the work that
20 you've been doing in reference to our
21 conversation of the Greater Philadelphia
22 Chamber of Commerce. And also, too
23 often in the City we talk in silos and
24 you realize that there's a need to
25 connect the two so although you've done

1 a lot of work on the public safety
2 space, but going back from a personal
3 perspective all the way through now, but
4 also making that connection to the issue
5 that the gun violence and economic
6 development are intertwined, so you've
7 been constantly making that connection
8 and I want to thank you for doing that
9 because of the work that you do as Chair
10 of Transportation and Public Utilities,
11 and seeing that if we don't have
12 advancement in contracting
13 opportunities, we're not going to have
14 advancement in reducing gun violence.

15 So thank you, Mr. Chair.

16 COUNCILMAN JOHNSON: Thank you,
17 Derek, always for being my wingman and
18 addressing the issues with me with the
19 Chamber of Commerce as well. Thank you
20 very much.

21 That's all I have, Mr. Chair.

22 THE CLERK: Councilman Squilla
23 is still in the meeting. Would you mind
24 if you can close out the hearing?

25 COUNCILMAN JOHNSON: Yes. This

1 meeting is adjourned to the call of the
2 Chair. If there are no more comments
3 from anyone else, thank you everyone for
4 your participation.

5 MS. ALLIE: Thank you.

6 COUNCILWOMAN BROOKS: Thank
7 you, everyone. Have a good night.

8 COUNCILMAN DOMB: Thank you.

9 COUNCILMAN GREEN: Thank you.

10 (Committee on Commerce and
11 Economic Development concluded at
12 2:00 p.m.)
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C E R T I F I C A T I O N

I, hereby certify that the
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