



**DISTRICT OF COLUMBIA  
WATER AND SEWER AUTHORITY**

Board of Directors

*Governance Committee*

Wednesday, September 11, 2013  
Meeting Agenda  
9:00 a.m.

- 1. Call to Order.....Alan Roth, Vice Chairperson
- 2. [Efficacy and Cost Savings Associated with the Use of “Board Books”](#)..... Linda Manley,  
Secretary to the Board
- 3. Government Affairs: Update.....William Pickering, Government Relations Manager

District of Columbia  
District Issues and Legislation

DC Water Community Benefits Act of 2013

Groundwater Pumping Legislation

- 4. [Update on the Workforce Development Program](#).....Katrina Wiggins, Chief of Staff
- 5. [Update on the Compliance Monitoring Program](#)..... Loretta Caldwell, LS Caldwell & Associates
- 6. [Enhancements to the Debarment /Suspension Provisions of the Procurement Manual](#)  
Randy E. Hayman, General Counsel
- 7. Emerging Issues ..... Chairperson
- 10. Agenda for Upcoming Committee Meeting (TBD).....Chairperson
- 11. Executive Session – To discuss legal, confidential and privileged matters pursuant to Section  
2-575 (b) (4) of the D.C. Official Code
- !2.Adjournment.....Chairperson



## BOARDBOOK ASSESSMENT SURVEY RESULTS

The purpose of this survey is to determine whether board members are reaping benefits from the use of the Diligence Boardbooks portal and the improvements that will make the experience more efficient and effective. Surveys were sent out to all board members. Of a total of 20 board members, 11 or 55 percent responded.

The results of the survey clearly indicate that the Board members have accepted the use of the boardbook portal system and adjusted to this new technology at DC Water. The primary goal for the purchase and utilization of the system was to improve the accessibility of tremendous amounts of documents which are essential in making decisions concerning the operation of D.C. Water. Other goals included reducing the costs associated with the physical production and distribution of materials and freeing up the staff of the Office of the Secretary to focus on the quality of the board materials and meeting other needs of board members. The following presents some overall survey views of important aspects of the Boardbooks experience by the 11 board members who responded to the survey:

- 70 percent or 7 members responded that the boardbooks mostly or completely meet their needs and expectations (1 member skipped Question #1).
- 30 percent or 3 members felt their needs and expectations are only slightly or satisfactorily met (1 member skipped Question #1).
- 82 percent or 9 members rated their overall experience as good and excellent.
- 18 percent or 2 members responded that their overall experience was fair.
- 90 percent or 9 members felt Diligent Account Management and Support were good or excellent (1 member skipped Question #3).
- 10 percent or 1 member believe Diligent performs only at a fair level (1 member skipped Question #3).
- 18 percent or 2 members felt that they would benefit from additional training.
- 82 percent or 9 members believe they do not need additional training.

What most survey respondents liked most about Diligent Boardbooks was the ease of use and the accessibility of information, both historical and current, at work, at home and on iPads, etc.

Some board members would like to utilize the notes capability of the Boardbooks in a confidential manner. Further discussion of this issue with Diligent and the appropriate D.C. Water staff will occur with the aim of identifying methods to meet the members' needs, while keeping in mind the former General Counsel's opinion that all notes are part of the public record.

Special efforts will be made to assess all aspects of the current board computers, the D.C. Water network, and the Boardbook software in order to avoid the inconvenience and frustration which occurs during meetings when the system and computers fail. The weaknesses will be determined and recommendations made to fully address the issue.

The Office of the Secretary will continue to work closely with Diligent to address issues raised by board members that can most likely be resolved through targeted training. Survey comments included scrolling up and down, viewing full pages, and note taking.

### **Cost Analysis**

As expected, the cost of producing, assembling, and distributing boardbooks has decreased significantly. This cost analysis looks at three major categories of expenditures--reproduction costs, boardbook deliveries by courier, and office supplies and equipment. For 2008, \$54,507 (108,769 copies) was spent on copying board materials for the monthly board meetings and committee meetings. The monthly range was from \$549 in August 2008 during summer recess, to \$14,659 in July. July is always a very heavy activity month because everyone is responding to critical needs prior to the August summer recess. These figures do not include the cost of copying on the machine located in the Office of the Secretary. In addition to reproduction costs, paper boardbooks were delivered by messenger to all board members at a cost of approximately \$700 per month or \$7,700 annually. In addition to the monthly board meeting books, committee packages were also delivered by hand, at an annual estimated cost of \$16,500. Total estimated cost annually was \$24,200 for delivery of paper boardbooks. Other costs included supplies and equipment for the assembly of the boardbooks--copy paper for Office of the Secretary's copier, toner, envelopes, boxes, tape, labels, index sheets, and numerous items, estimated annually at \$10,000.

Labor costs must be factored in for two budgeted positions in the Office of the Secretary. A substantial length of time was spent by staff assembling the tremendous amount of paper in boardbooks. Overtime costs were not significant due to an efficient management of time during the workday.

In the summer of 2010 the Diligent Boardbooks portal system was installed and implemented. After initial costs, the annual subscription fee is \$34,106.00 which includes training of board members and staff, as needed, and provision of management and support services.

The following table represents estimated costs for 2008 and 2012 of specified expenditures and when compared, estimates an annual savings of \$40,165:

<b>Estimated Annual Expenditures</b>	<b>2008</b>	<b>2012</b>	<b>Differences</b>	
Courier Delivery	\$ 24,200	\$ 4,400	-\$ 19,800	
Reproduction	54,507	3,036	- 51,471	
Supplies and Equipment	10,000	7,000	- 3,000	
Diligent Subscription Fee		34,106	+ 34,106	
<b>Totals</b>	<b>\$ 88,707</b>	<b>\$ 48,542</b>	<b>-\$ 40,165</b>	<b>Savings</b>

Research on the benefits of Boardbooks showed that some companies saved from \$25,000 (Wairarapa District Health Board in New Zealand) to \$764,000 (First Rand Bank in Africa) depending on their size and activity.

Along with cost savings, the many benefits derived by board members, especially accessibility of current and historical data, justify the continued utilization of Diligent Boardbooks and the future utilization of more features. D.C. Water is considered to be forward thinking and the use of the latest technology tools helps to re-enforce that perception. In addition, Boardbooks provides an opportunity for the Board of Directors to contribute to D.C. Water's efforts to minimize its carbon footprint and continue to be environmentally responsible by reducing paper usage.

**DILIGENT BOARDBOOKS ASSESSMENT SURVEY RESULTS**

<b>Question 1</b>	<b>1 Not At All</b>	<b>2 Slightly</b>	<b>3 Satisfactory</b>	<b>4 Mostly</b>	<b>5 Completely</b>	<b>No Response</b>
How well do Boardbooks meet your needs and expectations?	0	2	1	6	1	1
<b>Question 2</b>	<b>Very Poor</b>	<b>Fair</b>	<b>Good</b>	<b>Excellent</b>		
How would you rate your overall experience with Boardbooks?	0	2	8	1		
<b>Question 3</b>	<b>1 Not At All</b>	<b>2 Fair</b>	<b>3 Good</b>	<b>4 Excellent</b>		<b>No Response</b>
How responsive to your needs is Diligent Account Management and Support?	0	1	6	3		1
<b>Question 4</b>	<b>Only During Meetings</b>	<b>Once or Twice Prior to Meetings</b>	<b>Numerous Times</b>			
How often do you use Boardbooks?	3	5	3			
<b>Question 5</b>	<b>Yes</b>	<b>No</b>				
Would you benefit from additional training opportunities on the use of Boardbooks?	2	9				
<b>Question 6</b>	<b>1 Not At All</b>	<b>2 Slightly</b>	<b>3 Satisfactory</b>	<b>4 Mostly</b>	<b>5 Definitely</b>	
With continuous accessibility of Board and D. C. Water materials, has Boardbooks facilitated more understanding of issues and better decision making?	1	1	2	4	3	

<b>Question 7</b>	<b>1 Not At All</b>	<b>2 Slightly</b>	<b>3 Satisfactory</b>	<b>4 Mostly</b>	<b>5 Definitely</b>	
When attendance at Board meetings is impossible, does Boardbooks keep you more up-to-date on Board business?	1	0	3	3	4	
<b>Question 8</b>	<b>1 Not At All</b>	<b>2 Slightly</b>	<b>3 Satisfactory</b>	<b>4 Mostly</b>	<b>5 Definitely</b>	
Does the green and environmental friendly impact of Boardbooks make a difference in your appreciation of this technology?	1	1	2	3	4	
<b>Question 9</b>	<b>1 Never</b>	<b>2 Rarely</b>	<b>3 Occasionally</b>	<b>4 Frequently</b>		
Do you make notes when reviewing Boardbooks prior to meetings?	6	5		0		
<b>Question 10</b>	<b>1 Never</b>	<b>2 Rarely</b>	<b>3 Occasionally</b>	<b>4 Frequently</b>		<b>No Response</b>
Do you log on to access your notes during meetings?	9	1				1

## Open-Ended Questions and Comments

What do you like most about Boardbooks?

- Being able to access historical information
- Ease of information's availability at work, home, or iPad, especially when seeking archived information from past meetings
- Easy access of all materials
- Having electronic information
- Easy to use. Provides lots of information prior to meetings
- All meeting minutes and resources are in one place
- Accessibility of materials

What do you like least about Boardbooks?

- Cannot make confidential notes
- Navigation – having to scroll up and down to see all information on a page
- No training
- Sometimes I prefer to have the paper in front of me. But I realize we save more paper by this electronically
- Page up and down and page turn. Too many keystrokes required.
- On several occasions the system has gone down during a committee or board meeting and unrecoverable

What features would you most like to see added to Boardbooks?

- The ability to scroll through pages in order to be able to see the bottom of one page and the top of the next and/or the ability to see two pages at once, rather than having to click on the arrow to see just one page at a time.
- Thumbnails
- Current list of committees assignments
- A place to specifically categorize board decisions
- Ability to do note taking in the body of the document
- User friendly instruction on how to restore a failed connections

Comments

- Good system
- Mobile access on iPads would allow greater access and functionality
- Diligent is a great resource. But enhancing accuracy and comprehensiveness of information and materials would be great improvements



District of Columbia Water and Sewer Authority  
George S. Hawkins, General Manager

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# **WORKFORCE INCENTIVE PROGRAM**

## *“DC Water Works! A Local Hiring Initiative”*

*Presented to the*  
**Governance Committee**  
*Alan Roth, Vice Chairperson*

**Wednesday, September 11, 2013**  
*Presented by Katrina J. Wiggins, Chief of Staff*





## ***Current Status***

- DC Water held a workforce development forum on Tuesday, August 13th
- Approximately 42 training providers attended
- Training providers were asked to bring copies of their training curriculum and catalogs
- DC Water provided lists of current and future skills requirements
- Board member Brenda Richardson presented an overview of the Board's perspective
- National Utility Contractors Association's (NUCA) immediate past President presented a profile of successful construction worker trainee



## ***Satellite Job Centers!***

- **Effective September 3, 2013 three (3) satellite locations opened:**

- **Anacostia Economic Development Corporation (AEDC)**

**1800 Martin Luther King Avenue, SE  
Washington, DC 20020**

**Hours of Operation: Mondays and Wednesdays 9:00 a.m. to 4:30 p.m.**

- **Greater Washington Urban League**

**2901 14<sup>th</sup> Street, NW  
Washington, DC 20009**

**Hours of Operation: Tuesdays 9:00 a.m. to 4:30 p.m.**



## ***Satellite Job Centers!***

### **➤ DC Water Business Office @ Union Center Plaza**

**810 First Street, NE**

**Washington, DC 20002**

**Hours of Operation: Thursdays and Fridays 9:00 a.m. to 4:30 p.m.**

***For more information please call: 202-787-2304 or  
log-on to: [www.dewater.com](http://www.dewater.com)***



## ***Current Status - Pilot Incentive Programs***

Change orders for two (2) pilot incentive programs with Fort Myers Construction and Capital Paving will commence on October 1, 2013



District of Columbia Water and Sewer Authority  
George S. Hawkins, General Manager

*DC Water Major Projects  
M/WBE Contracting and Local Employment Compliance  
September 2013 Update*

*Presented to the:*

***Governance Committee***

*Presented by:*

*Gus Bass—Manager, Engineering Management Services Branch  
DC Water Department of Engineering and Technical Services  
Loretta S. Caldwell—Major Projects Compliance Officer  
L. S. Caldwell & Associates, Inc.*

**Wednesday, September 11, 2013**

# DC Water Major Projects

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## AGENDA

- **Compliance Program Overview**
- **DC Water Major Projects Subject to Fair Share Objectives**
- **M/WBE Contracting Summary**
- **Employment Summary**
- **Questions and Discussion**



## CONTRACTING AND EMPLOYMENT COMPLIANCE OFFICER RESPONSIBILITIES

L. S. Caldwell & Associates, Inc./DP Consultants, Inc.

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### CONTRACTS

- Monitor and track planned and actual participation against Architectural/Engineering Fair Share Objective of 28% MBE and 4% WBE
- Monitor and track planned and actual participation against Construction Fair Share Objective of 32% MBE and 6% WBE
- Ensure contractors meet and/or exceed their Fair Share Objectives



(For First and Second Tier Contractors)

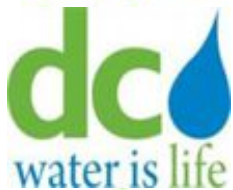
## CONTRACTING AND EMPLOYMENT COMPLIANCE OFFICER RESPONSIBILITIES

L. S. Caldwell & Associates, Inc./DP Consultants

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### EMPLOYMENT

- Conduct onsite employee interviews on all construction contracts; review certified payrolls, ensuring they are in accord with Davis Bacon Wage Determinations and wages reported by employees during site interviews.
  
- When applicable – Enforce District of Columbia First Source Employment Agreements (FSEA);
  - 51% new hires targeted to DC residents on construction contracts over \$100k.
  - 35% of total apprentice hours targeted to be performed by DC residents on existing construction contracts over \$500k.





## CONTRACTING AND EMPLOYMENT COMPLIANCE OFFICER RESPONSIBILITIES

L. S. Caldwell & Associates, Inc./DP Consultants

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### EMPLOYMENT—CONTINUED

- Implement the Interim Employment Program  
*DC Water Works, A Local Initiative*
- Collect resident hiring data for all Major Project contracts, other construction projects and service contracts
- Expansion of Job Center with 3 *additional* Satellite Job Centers



# DC Water Major Projects M/WBE Contracting Summary

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# DC Water Major Projects Currently In the Compliance Program

## DC Clean Rivers

- Blue Plains Tunnel (BPT)
- CSO 019
- M Street Diversion Sewer
- Tingey Street Diversion Sewer
- Low Impact Development Retrofit at DC Water Facilities
- Anacostia River Tunnel (ART)

Enhanced Nitrogen Removal  
(ENR 1C)

Enhanced Nitrogen Removal  
(ENR 2C)

Enhanced Nitrogen Removal North

## Biosolids Management

- Main Process Train (MPT)
- Final Dewatering Facility 1C (FDF1)
- Final Dewatering Facility 2C (FDF2)
- Combined Heat & Power (CHP)



# DC Water Major Projects CONTRACT VALUES

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## DC Clean Rivers

Blue Plains Tunnel	\$ 326,903,971
CSO O19	\$ 27,882,822
M Street Diversion Sewer	\$ 29,750,000
Tingey St Diversion Sewer	\$ 16,056,573
Low Impact Dev. Retrofit	\$ 3,583,772
Anacostia River Tunnel*	\$ 253,859,999

## Bio Solids Management

Main Process Train	\$210,288,101
Final Dewatering Facility 1C	\$ 7,861,989
Final Dewatering Facility 2C	\$ 78,081,000
Combined Heat & Power	\$ 83,015,875

Enhanced Nitrogen Removal 1C	\$69,502,000
Enhanced Nitrogen Removal 2C	\$97,118,000
Enhanced Nitrogen Removal – North	\$57,960,000

**TOTAL VALUE OF MAJOR PROJECTS = \$1,261,864,102**

## FAIR SHARE OBJECTIVES

**Architectural/Engineering  
Construction**

**28% MBE 4% WBE  
32% MBE 6% WBE**



# DC Water Major Projects Subject to Fair Share Objectives

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<b>Total Value of Major Projects</b>	<b>\$1,261,864,102</b>
<b><u>-DC Water Design-Build/GMP Exclusions</u></b>	<b><u>(\$199,154,570)</u></b>
<b>Total Costs Subject to Fair Share Objectives</b>	<b>\$1,062,709,532</b>

DC Water determined the necessity to exclude some costs on Design Build/Guaranteed Maximum Price contracts

Examples of Exclusions from Fair Share Objectives:

Cambi System (MPT)	\$37,036,000
Tunnel Boring Machines (BPT/ART)	\$55,000,000
Contingencies/Allowances	<u>\$107,118,570</u> (Approximate)
	\$199,154,570



# DC Water Major Projects A/E Subject to Fair Share Objectives

Total Costs Subject to Fair Share Objectives as of June 2013    \$ 867,569,997

Total Costs Subject to Fair Share Objectives as of August 2013    \$ 1,062,709,532

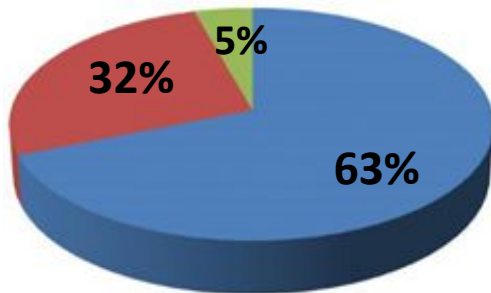
<b>Design Costs Subject to Fair Share Objectives</b>	<b>As of June 2013 \$27,818,838</b>	<b>As of August 2013 \$34,018,838</b>
28% MBE Design Costs Planned	\$7,789,275	\$9,525,275
33% MBE Design Awarded to Date	\$8,807,706	\$11,301,239
4% WBE Design Costs Planned	\$1,112,753	\$1,360,753
5% WBE Design Awarded to Date	\$1,458,569	\$1,712,294



# TOTAL Design M/WBE Subcontracts Awarded to Date

## TOTAL DESIGN CONTRACTING JUNE 2013

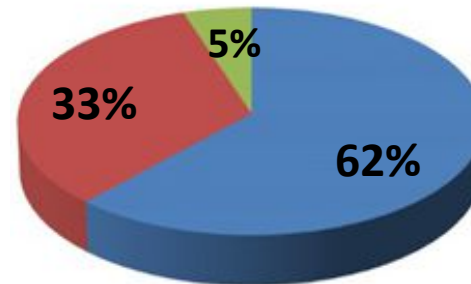
- Total Non-M/WBE:  
\$17,552,563
- Total MBE \$ Awarded:  
\$8,807,706
- Total WBE \$ Awarded:  
\$1,458,569



**TOTAL: \$27,818,838**

## TOTAL DESIGN CONTRACTING AUGUST 2013

- Total Non-M/WBE:  
\$21,005,305
- Total MBE \$ Awarded:  
\$11,301,239
- Total WBE \$ Awarded:  
\$1,712,294



**TOTAL: \$34,018,838**



# TOTAL Design M/WBE Subcontracts Payments to Date

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Design goals are 28% MBE and 4 % WBE

Only apply to Professional Services on 5 Major Projects that are Design-Build/GMP Contracts (Blue Plains Tunnel, Tingey Street Diversion Sewer, Main Process Train, Combined Heat and Power, Anacostia River Tunnel)

**Fair Share Objective achievement measurement = M/WBE PAYMENT CONFIRMATION.**

## TOTAL PAYMENTS

	As of June 2013	As of August 2013
MBE Payments	\$ 6,494,994	\$ 7,048,113
WBE Payments	\$ 835,337	\$ 835,337

PROJECTS STARTED MAY 2011  
DATA COLLECTION BEGAN FEBRUARY 2012





# DC Water Major Projects Construction Subject to Fair Share Objectives

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Total Costs Subject to Fair Share Objectives as of June 2013 **\$ 867,569,997**

Total Costs Subject to Fair Share Objectives as of August 2013 **\$ 1,062,709,532**

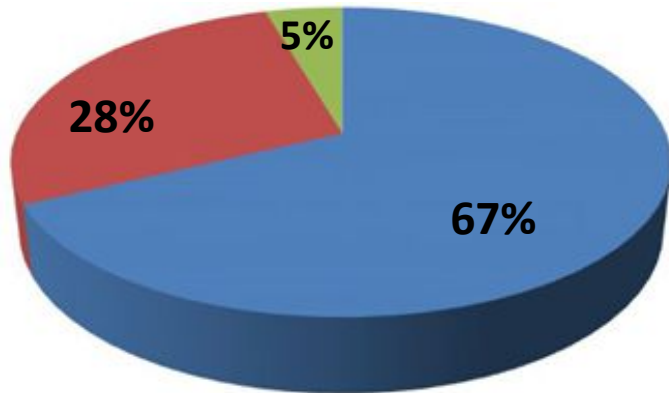
	As of June 2013	As of August 2013
<b>Construction Costs Subject to Fair Share Objectives</b>	<b>\$841,000,695</b>	<b>\$1,028,690,694</b>
32% MBE Construction Costs Planned	\$269,120,222	\$329,181,022
26% MBE Construction Awarded to Date	\$233,207,389	\$265,535,960
6% WBE Construction Costs Planned	\$50,460,042	\$61,721,441
4% WBE Construction Awarded to Date	\$37,847,545	\$38,334,824



# TOTAL Construction M/WBE Subcontracts Awarded to Date

## TOTAL CONSTRUCTION CONTRACTING DISTRIBUTION JUNE 2013

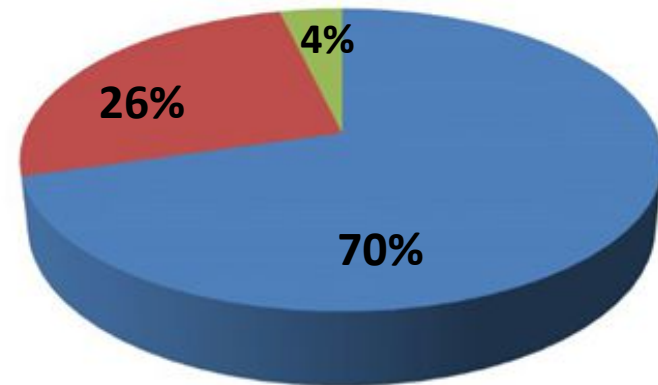
- Total Non-M/WBE: \$569,945,761
- Total MBE \$ Awarded: \$233,207,389
- Total WBE \$ Awarded: \$37,847,545



TOTAL: \$841,000,695

## TOTAL CONSTRUCTION CONTRACTING DISTRIBUTION— AUGUST 2013

- Total Non-M/WBE: \$724,819,910
- Total MBE \$ Awarded: \$265,535,960
- Total WBE \$ Awarded: \$38,334,824



TOTAL: \$1,028,690,694



# TOTAL Construction M/WBE Subcontracts Payments to Date

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**Construction goals are 32% MBE and 6 % WBE**

**Fair Share Objective achievement measurement = M/WBE PAYMENT  
CONFIRMATION.**

## TOTAL PAYMENTS TO DATE

**As of June 2013**

**As of August 2013**

**MBE Payments**

**\$ 101,784,558**

**\$ 110,298,231**

**WBE Payments**

**\$ 12,198,993**

**\$ 12,795,276**



# DC Water Major Projects Employment Summary

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# Employment Statistics

## Cumulative Total Contractor Employees on Major Projects:

<b>Employee Place of Residence</b>					
<b>As of August 2013 - 1677</b>					
District of Columbia	Prince George's County	Montgomery County	Fairfax County	Loudoun County	Outside of User Jurisdictions
<b>189</b>	<b>354</b>	<b>143</b>	<b>123</b>	<b>29</b>	<b>839</b>
<b>Employee Place of Residence</b>					
<b>As of June 2013 - 1496</b>					
District of Columbia	Prince George's County	Montgomery County	Fairfax County	Loudoun County	Outside of User Jurisdictions
<b>172</b>	<b>307</b>	<b>132</b>	<b>108</b>	<b>28</b>	<b>749</b>

\*Information obtained from project inception to date; ongoing updates



PROJECTS STARTED MAY 2011;  
DATA COLLECTION BEGAN FEBRUARY 2012

# Employment of DC Residents

## Cumulative Total DC Residents on Major Projects:

DC Employee Residents by Ward As of August 2013 - 189							
One	Two	Three	Four	Five	Six	Seven	Eight
22	10	2	23	30	11	40	51

DC Employee Residents by Ward As of June 2013 - 172							
One	Two	Three	Four	Five	Six	Seven	Eight
19	10	2	20	26	11	38	46



\*Information obtained from project inception to date; ongoing updates  
 \*The employment numbers referenced above primarily consist of unskilled labor

# DC Apprenticeship Statistics

(DC Requirement – 35% DC Resident Hours)

**As of August 2013**

No. of Apprentices	Total Apprentice Hours	No. of DC Resident Hours	% DC Resident Hours
<b>55</b>	<b>40,323</b>	<b>19,615</b>	<b>48.6%</b>

**As of June 2013**

No. of Apprentices	Total Apprentice Hours	No. of DC Resident Hours	% DC Resident Hours
<b>55</b>	<b>39,664</b>	<b>19,438</b>	<b>49.0%</b>



\*Information obtained to date; ongoing updates

# Select Overview of Employment Data By Other Jurisdiction (839)

State	Employees	State	Employees	State	Employees
AL	1	KY	2	OH	6
AUS	1	LA	3	PA	15
CA	3	MA	4	TN	2
CT	3	MD	258	TX	9
FL	10	MI	4	UT	0
GA	13	MO	49	VA	242
IA	0	NC	93	VT	3
IL	19	NH	3	WA	4
IN	2	NJ	11	WVA	20
KS	25	NY	16	Undetermined	18

DATA SHOWN REFLECTS INFORMATION FROM COMPANIES THAT RESPONDED TO REQUESTS FOR INFORMATION.  
THE FULL OVERVIEW OF EMPLOYEES FROM OTHER JURISDICTIONS HAS BEEN ADDED IN AN ATTACHMENT.





# Overview of Cumulative Employment Data By Job Category

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## Definitions

**Professional: Architects, Professional Engineers (PEs)**

**Management: Technical and Administrative Staff**

**Labor: Tradesmen/Tradeswomen**

<b>Overview of Employees by Job Category*</b> As of August 2013	
<b>Professional</b>	<b>237</b>
<b>Management</b>	<b>263</b>
<b>Labor</b>	<b>1038</b>

**DATA SHOWN ON THIS PAGE REFLECTS INFORMATION FROM COMPANIES THAT RESPONDED TO REQUESTS FOR INFORMATION**



# DC Water Works

## A Local Hiring Initiative

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### SATELLITE JOB CENTERS

The DC Water Works Satellite Job Centers opened the week of September 3<sup>rd</sup> 2013 at the following Washington DC locations  
9:00 AM – 4:30 PM:

#### Tuesdays

Greater Washington Urban League  
2901 14<sup>th</sup> Street, N.W.

#### Wednesdays

Anacostia Economic Development Corporation  
1800 Martin Luther King Avenue, S. E.

#### Thursdays and Fridays

DC Water Business Office @ Union Center Plaza  
810 First Street, N.E.

The DC Water Works Satellite Job Center will operate in concert with the DC Water Works ONSITE Job Center.

Their focus, to make residents aware of DC Water project employment opportunities, required qualifications and the application process more accessible to local residents, particularly in DC targeting Wards 7 and 8.



# DC Water Works

A Local Hiring Initiative

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## DC Water Works Job Center Employment Statistics Snapshot:

Number of New Hires to Date:	26
Total Applications Received To Date:	250
Number of Interviews to Date:	59

<b>New Hire Statistics :</b>		
<b>District of Columbia</b>		<b>10</b>
<b>Fairfax County</b>		<b>2</b>
<b>Montgomery County</b>		<b>0</b>
<b>Prince George's County</b>		<b>1</b>
<b>Other</b>		<b>13*</b>

\*(MD 4 and VA 2 = 6)



# DC Water Works

A Local Hiring Initiative

## Job Center

### Applicant/ New Hire Statistics

#### Applicants – 250

- PG County: 49
- District of Columbia: 151
- Loudoun County: 2
- Fairfax County: 13
- Montgomery County: 8
- Other: 27

#### Interviews

- 1<sup>st</sup> Quarter: 11
- 2<sup>nd</sup> Quarter : 36
- 3<sup>rd</sup> Quarter to date: 12

#### New Hires

- Ulliman Schutte: 16
- PC Construction: 7
- Bulldog Group: 1
- Arcadis: 1
- Wharton: 1

### Initiatives

- Database Development
- Contractor Employment Analysis
- Satellite Job Centers
- Contractors “Weekly Bulletin”
- Training Resources Outreach efforts
- Contractors Roundtable Discussions
- Employment Opps Listings
- Open House Events



# Current Employment Opportunities

Employer Name	Contact Information	Job Title
Apex Petroleum	301-773-9009	<ul style="list-style-type: none"> <li>Fuel Delivery Driver</li> </ul>
Bulldog Distribution Trucking	<a href="mailto:contact@bulldogdistribution.net">contact@bulldogdistribution.net</a>	<ul style="list-style-type: none"> <li>Truck Drivers</li> </ul>
Carl D. Jones, PE Associates	301-802-9693	<ul style="list-style-type: none"> <li>Truck Drivers</li> </ul>
Chaney Enterprises	Applicants need to access <a href="http://www.ChaneyEnterprises.com">www.ChaneyEnterprises.com</a>	<ul style="list-style-type: none"> <li>Concrete Mixer Driver</li> <li>Laborer/Operations</li> </ul>
Flippo Construction	Apply in person at: 3820 Penn Belt Place Forestville, MD	<ul style="list-style-type: none"> <li>Pipe Foreman</li> </ul>
Goel Services	Fax Resume to: 202-567-3721	<ul style="list-style-type: none"> <li>CCTV Operator</li> </ul>
List & Associates, LLC	301-595-3272	<ul style="list-style-type: none"> <li>Administrative Assistant</li> <li>Concrete Inspector</li> </ul>
PC Construction	202-683-6244	<ul style="list-style-type: none"> <li>Millwright</li> <li>Pipe Fitter</li> <li>Plumber</li> </ul>
Ulliman Schutte Construction, LLC	202-373-1380 or 202-561-4402	<ul style="list-style-type: none"> <li>Certified Crane Operator</li> <li>ASME Certified Pipe Welder</li> <li>AWS Certified Structural Welder</li> </ul>
Video Pipe Services	11420 Old Baltimore Pike Beltsville, MD 20705	<ul style="list-style-type: none"> <li>Foreman</li> <li>CDL Operators</li> </ul>
Wharton Suppliers	703-569-6660	<ul style="list-style-type: none"> <li>Truck Driver</li> <li>Inside Sales</li> </ul>



# DC Water Major Projects Summary

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- **DC Water is currently exceeding Fair Share Objective Goals in A/E and are on target to meet or exceed contracting goals.**

- **DC Water has successfully completed the development of an Interim Employment Program, ...**

## **DC Water Works, A Local Initiative**

**and will begin shortly to implement online reporting for all DC Water participating projects...not just Major Projects, but other construction and goods contracts.**

- **DC Water has opened 3 Satellite Job Centers across the District in addition to the Onsite trailer, where job applicants can find out which contractors are hiring and in what disciplines.**



## DC Water Major Projects

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# QUESTIONS AND DISCUSSION



DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY | 5000 OVERLOOK AVENUE, SW | WASHINGTON, DC 20032

## **MEMORANDUM**

To: Governance Committee Members

From: Randy Hayman, General Counsel

Date: July 3, 2013

Re: Procurement Manual Revisions

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DC Water's Governance Committee directed the Office of the General Counsel (OGC) to make certain revisions to DC Water's Procurement Manual regarding its debarment and suspension provisions. When reviewing this matter the OGC examined the Debarment and Suspension regulations of the District of Columbia and the user jurisdictions. The OGC's recommendations are the following:

### **Chapter 26. Debarment and Suspension**

#### **Debarment**

##### **26.2.2 Causes for Debarment**

The introductory sentence to this section is amended and shall hereinafter read as follows:

A contractor may be debarred for a conviction of, a civil judgment for, or an administrative hearing finding of:

##### **26.2.3 Additional Causes for Debarment**

A new subsection 5 shall be added to read as follows:

5. Intimidation and/or retaliation against employee(s) including but not limited to an employee who expresses or shows an interest in asserting any right or interest.

**26.2.5 Reasonable Notice** shall be deleted in full and redrafted as follows:

##### **26.2.5 Reasonable Notice**

The General Manager or his appointed debarment official(s) shall initiate debarment proceedings by notifying the contractor and any specifically named affiliates by certified mail, return receipt requested, of the following:



1. The factual basis for the proposed debarment in sufficient detail to put the contractor on notice of the conduct or transaction (s) upon which the proposed debarment is based;
2. That within fifteen (15) calendar days after receipt of the notice, the contractor may submit in writing, information and argument in opposition to the proposed debarment, including any specific information that raises a genuine issue of material fact;
3. The potential effect of the proposed debarment; and
4. That, if no suspension is in effect, DC Water will not solicit offers from, award contracts to renew, extend contracts with, or consent to subcontracts with the contractor pending a debarment decision.

A new Section 26.2.5.1, Opportunity to be Heard, is added to the Procurement Manual to hereinafter read as follows:

#### **26.2.5.1 Opportunity to be Heard**

In the event the contractor fails to make a submittal within fifteen (15) days of receipt of the notice of proposed debarment, the General Manager or his appointed debarment official(s) shall timely notify the contractor that he/she has waived the right to a hearing and a final decision shall be made based upon the facts as presented. However, if a submission is timely received, in debarment actions not based upon a conviction or civil judgment, if the General Manager or his appointed debarment official (s) finds that the contractor's submission in opposition, based upon a preponderance of the evidence, raises a genuine dispute over material facts to the proposed debarment, the General Manager shall do the following within fifteen (15) days of receipt of the Contractor's submittal:

1. Notify the contractor in writing, by certified mail, return receipt requested, that he/she is afforded an opportunity for a hearing, to appear with counsel, file motions, present evidence, including testimony and exhibits, cross-examine witnesses and argue in support of his/her position;
2. Appoint, in consultation with the General Counsel, a Hearing Examiner (such Hearing Examiner may, but is not required to be, a private practice attorney or retired judge) with expertise and experience in the relevant subject matter; and
3. Send a written notice, by certified mail, return receipt requested, of the name of the Hearing Examiner, the time, place, date, and purpose of the hearing.

A new Section 26.2.5.2, Hearing and Order, is added to the Procurement Manual to hereinafter read as follows:

#### **26.2.5.2 Hearing, Proposed Order, Final Order and Right to Appeal**

The hearing may be conducted informally, with all parties being afforded an opportunity to be heard, be represented by counsel, file motions, present evidence, including testimony and exhibits, cross-examine witnesses and argue in support of their respective positions. Upon the close of the proceedings the Hearing Examiner shall do the following:

1. Within thirty (30) days of the conclusion of the hearing and the closing of the record, the Hearing Examiner shall issue a proposed decision and order to the General Manager or the General Manager's debarment official (s) and to the contractor;

2. The Hearing Examiner's proposed decision and order shall be in writing, including separate findings of fact and conclusions of law. The findings of fact shall state the resolution of each contested issue of fact and shall be based solely on the evidence of record and matters officially noticed; and
3. The Hearing Examiner shall use as his/her standard of proof the preponderance of the evidence.

Upon receipt, the General Manager shall review the proposed order and may do the following:

1. May request the parties to the hearing to submit exceptions to the proposed decision and order and based thereon, affirm, reverse, or modify the proposed decision or order, by issuing a final decision and order; or
2. Remand the case to the appointed Hearing Examiner for further proceedings and the issuance of a further proposed decision and order upon which to base the final decision and order.

The final decision shall be in writing, and include separate findings of fact and conclusions of law. The findings of fact shall state the resolution of each contested issue of fact and shall be based solely on the evidence of record and matters officially noticed. The final decision shall use as its standard of proof the preponderance of the evidence. Upon issuance of a final decision, the General Manager shall provide the contractor a copy of the final decision and order and inform him/her in writing by certified mail, return receipt of the right to appeal the final decision and order in a court of competent jurisdiction within the District of Columbia.

Section 26.2.6, notice of Debarment, shall be deleted and shall hereinafter read as follows:

#### **26.2.6 Effective Date of Debarment**

A debarment determination will take effect when the final decision and order is issued. After the debarment decision takes effect, the contractor will be debarred from consideration of award of contracts until the debarment period specified in the final determination and order expires.

### **Suspension**

#### **26.3.2 Causes for Suspensions**

The second enumerated cause in this section is amended and shall hereinafter read as follows:

Indictment for any of the causes stated in the section above on "Causes for Debarment" including when a cause results from an administrative hearing finding.

A new subsection 6 shall be added to read as follows:

6. Intimidation and/or retaliation against employee(s) including but not limited to an employee who expresses or shows an interest in asserting any right or entitlement.

**26.3.3 Reasonable Notice** shall be deleted in full and redrafted as follows:

#### **26.3.3 Reasonable Notice**

The General Manager or his appointed suspension official(s) shall initiate suspension proceedings by notifying the contractor and any specifically named affiliates by certified mail, return receipt requested, of the following:

1. The factual basis for the proposed suspension in sufficient detail to put the contractor on notice of the conduct or transaction (s) upon which the proposed suspension is based;
2. That within fifteen (15) calendar days after receipt of the notice, the contractor may submit in writing, information and argument in opposition to the proposed suspension, including any specific information that raises a genuine issue of material fact;
3. The potential effect of the proposed suspension; and
4. That DC Water will not solicit offers from, award contracts to, renew, extend contracts with, or consent to subcontracts with the contractor pending a suspension decision.

A new Section 26.3.3.1, Opportunity to be Heard, is added to the Procurement Manual to hereinafter read as follows:

#### **26.2.5.1 Opportunity to be Heard**

In the event the contractor fails to make a submittal within fifteen (15) days of receipt of the notice of proposed suspension, the General Manager or his appointed suspension official(s) shall timely notify the contractor that he/she has waived the right to a hearing and a final decision shall be made based upon the facts as presented. However, if a submission is timely received, in suspension actions not based upon a conviction or civil judgment, if the General Manager or his appointed suspension official (s) finds that the contractor's submission in opposition, based upon a preponderance of the evidence, raises a genuine dispute over material facts to the proposed suspension, the General Manager or his appointed suspension official (s) shall do the following within fifteen (15) days of receipt of the Contractor's submittal:

1. Notify the contractor in writing, by certified mail, return receipt requested, that he/she is afforded an opportunity for a hearing, to appear with counsel, file motions, present evidence, including testimony and exhibits, cross-examine witnesses and argue in support of his/her position;
2. Appoint, in consultation with the General Counsel, a Hearing Examiner (such Hearing Examiner may, but is not required to be, a private practice attorney or retired judge) with expertise and experience in the relevant subject matter; and
3. Send a written notice, by certified mail, return receipt requested, of the name of the Hearing Examiner, the time, place, date, and purpose of the hearing.

A new Section 26.2.5.2, Hearing and Order, is added to the Procurement Manual to hereinafter read as follows:

#### **26.2.5.2 Hearing, Proposed Order, Final Order and Right to Appeal**

The hearing may be conducted informally, with all parties being afforded an opportunity to be heard, be represented by counsel, file motions, present evidence, including testimony and exhibits, cross-examine

witnesses, and argue in support of their respective positions. Upon the close of the proceedings the Hearing Examiner shall do the following:

1. Within thirty (30) days of the conclusion of the hearing and the closing of the record, the Hearing Examiner shall issue a proposed decision and order to the General Manager or the General Manager 's suspension official (s) and to the contractor;
2. The Hearing Examiner's proposed decision and order shall be in writing, including separate findings of fact and conclusions of law. The findings of fact shall state the resolution of each contested issue of fact and shall be based solely on the evidence of record and matters officially noticed; and
3. The Hearing Examiner shall use as his/her standard of proof the preponderance of the evidence.

Upon receipt, the General Manager shall review the proposed decision and order and may do the following:

1. May request the parties to the hearing to submit exceptions to the proposed decision and order and based thereon, affirm, reverse, or modify the proposed decision or order, by issuing a final decision and order; or
2. Remand the case to the appointed Hearing Examiner for further proceedings and the issuance of a further proposed decision and order upon which to base the final decision and order.

The final decision shall be in writing, and include separate findings of fact and conclusions of law. The findings of fact shall state the resolution of each contested issue of fact and shall be based solely on the evidence of record and matters officially noticed. The final decision shall use as its standard of proof the preponderance of the evidence. Upon issuance of a final decision, the General Manager shall provide the contractor a copy of the final decision and order and inform him/her in writing by certified mail, return receipt of the right to appeal the final decision and order in a court of competent jurisdiction within the District of Columbia.

Section 26.2.6, Notice of Suspension shall be deleted and shall hereinafter read as follows:

#### **26.2.6 Effective Date of Suspension**

A suspension determination will take effect when the final decision and order is issued. After the suspension decision takes effect, the contractor will be suspended from consideration of award of contracts until the suspension period specified in the final determination and order expires.