



**BOARD OF DIRECTORS  
EAST BAY MUNICIPAL UTILITY DISTRICT**

375 – 11<sup>th</sup> Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

## **AGENDA**

**Legislative/Human Resources Committee  
Tuesday, October 10, 2017  
10:15 a.m.  
Training Resource Center**

**(Committee Members: Directors Coleman {Chair}, Patterson and Young)**

### **ROLL CALL:**

**PUBLIC COMMENT:** The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

### **DETERMINATION AND DISCUSSION:**

1. Fiscal Year 2017 Contract Equity Program Annual Report (Hong)
2. Update on Wellbeing Program (Brunson)

### **ADJOURNMENT:**

#### **Disability Notice**

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#### **Document Availability**

*Materials related to an item on this Agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11th Street, Oakland, California, during normal business hours, and can be viewed on our website at [www.ebmud.com](http://www.ebmud.com).*

## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: October 5, 2017

MEMO TO: Board of Directors

THROUGH: Alexander R. Coate, General Manager *ARC*

FROM: Sherri A. Hong, Manager of Customer & Community Services *S. Hong*

SUBJECT: Fiscal Year 2017 Contract Equity Program Annual Report

### INTRODUCTION

The Fiscal Year 2017 (FY17) Contract Equity Program Annual Report is attached for Board review. The report provides an overview of the District's Contract Equity accomplishments and an update on FY18 program initiatives. A presentation will be provided at the Legislative/Human Resources Committee on October 10, 2017.

### SUMMARY

The District's Contract Equity Program accomplishments for FY17 include:

- Ethnic minorities and white women businesses contracts totaled \$28 million;
- Small business purchases and services contracts totaled \$41 million;
- Local business contracts and services awards increased to \$102 million compared to FY16 performance of \$96 million with \$29 million to local small businesses; and
- Seventy-eight percent (170 firms) of the District's major contracts awarded to firms with minority workforces that reflect at least 50 percent or more of their applicable Metropolitan Statistical Area (MSA).

Other notable accomplishments in FY17 include:

- American Contract Compliance Association presented its Parren J. Mitchell Crusader Award during its 30<sup>th</sup> Anniversary Celebration to Beverly Johnson, Contract Equity Administrator.
- Participated in 38 community events, workshops, business forums, and trade fairs to promote the District's Contract Equity Program, contracting and supply opportunities.

In FY18, staff will focus on initiatives to improve efforts for achieving contracting objectives including:

- Continue the pilot local hire component on construction projects:
  - Monitor local hire awards,
  - Evaluate upcoming construction contracts for inclusion in pilot local hire component, and
  - Investigate centralizing labor/prevaling wage/contract compliance efforts.
- Expand contracting opportunities:
  - Update business database and Engineering Consultant Roster,
  - Expand the role of the Internal Advisory Committee, and
  - Target on-call and contracts of \$70,000 or less.
- Improve Small Business Enterprise (SBE) participation:
  - Investigate increasing \$70,000 threshold for SBE set-asides, and
  - Investigate expansion of the SBE incentives to primes who meet a targeted goal for SBE subcontractor participation.
- Continue to engage in outreach and education efforts which include:
  - Economic Business Development in partnership with Astra Women Business Alliance, Western Regional Minority Supplier Development Council, Chevron, Pacific Gas & Electric, and Wells Fargo Bank (November 2017), and
  - Targeted Contract Opportunities Workshop (May or June 2018).

ARC:SAH:bj:dlb

Attachment

# FY17 Annual Report

East Bay Municipal Utility District

## CONTRACT EQUITY PROGRAM

Advocating Contracting Opportunities for over 32 Years

*Stewardship ~ Integrity ~ Respect ~ Teamwork*

EAST BAY MUNICIPAL UTILITY DISTRICT

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Attachment 2 - Listing of Top Prime Contract Awards

Attachment 3 - FY17 Key Outreach Activities

## OVERVIEW - CONTRACT EQUITY PROGRAM

The Contract Equity (CE) Program Fiscal Year (FY) 17 Annual Report provides an overview of the District's contracting performance and related staff activities for the fiscal year along with an update on FY18 program initiatives to increase participation.

The continuing vision for the CE Program is to be a highly effective and integral business practice operating within the law to increase contract participation in:

- cultural and gender diversity
- small businesses<sup>1</sup> (including disabled veterans)
- local businesses

For more than 32 years, EBMUD has committed to and invested in diversity and inclusion practices in its' contracting opportunities to reflect the communities we serve. Inclusive business participation in local government procurement and contracting is an important source of income and jobs for our communities and strengthens communities both economically and socially.

The District continues to promote stewardship through its CE Program to ensure diversity in our contracting and supply chain. The District's procurement and contracting practices supports our mission to deliver safe, reliable and high quality water and wastewater services for 1.4 million customers.

The CE Office oversees the District's contracting process to ensure fairness and equity in business opportunities, bidding of potential contracts, and the execution of contracts to the business community, especially to those sectors historically underutilized, including small and local businesses. Fair, active and open competition works to build valued relationships with the community in which we live and serve, and drives competition and productivity to provide value to EBMUD and our ratepayers.

### **Background**

The District established a Minority Business Enterprise (MBE) program in 1984 in order to increase the level of minority business participation in contracting. In 1988, the MBE program was expanded to include women-owned businesses (previously only minority women-owned businesses were included), and the program was renamed the Minority and Women Business Enterprise (M&WBE) program.

In 1999, the M&WBE Program was changed to the Contract Equity (CE) Program in response to changing laws and court decisions<sup>2</sup>. The purpose of the CE Program is to prevent ongoing and future discrimination in contracting while avoiding the granting of illegal preferences on the

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<sup>1</sup> "Small business" is a business enterprise that has average annual gross receipts of \$14,000,000 or less over the previous three years or is a manufacturer with 100 or fewer employees or disabled veteran business enterprise

<sup>2</sup> The CE Program takes into account State of California Public Contract Code §2000, Proposition 209, the U.S. Supreme Court's decision in *City of Richmond, Virginia v. J. A. Croson Company* 488 U.S. 469 (1989), and other related court decisions.

basis of race, gender, and other protected categories while proactively promoting contract awards diversity among business persons of all races and both genders, including white men.

In 1999, the Contractors' Affirmative Action Workforce Profile (CAAWP) Program for contractors was established. In 2001, it was replaced by the current Contractors' Compliance with Equal Employment Opportunity Program which requires all firms doing business with EBMUD to take lawful and adequate steps to assure that their employment practices comply with Equal Employment Opportunity (EEO) laws.

To support these efforts, the District provides materials which notify contractors and their employees that discrimination, harassment, and retaliation are not tolerated by the District – to be prominently displayed at all contractors' worksites. Since FY11, at least two-thirds of the firms awarded contracts continue to have a minority workforce that reflects 50 percent or more of their applicable Metropolitan Statistical Area (MSA.)

The CE Program includes a Small Business Enterprise (SBE) Component which includes a five percent bid discount applicable for all competitively bid contracts. For all contracts  $\leq$  \$70,000, there are goals of 50 percent SBE participation and a 25 percent SBE set-aside. In FY16, the definition of small business was expanded to include disabled veteran businesses.

## FY17 SUMMARY

### Highlights

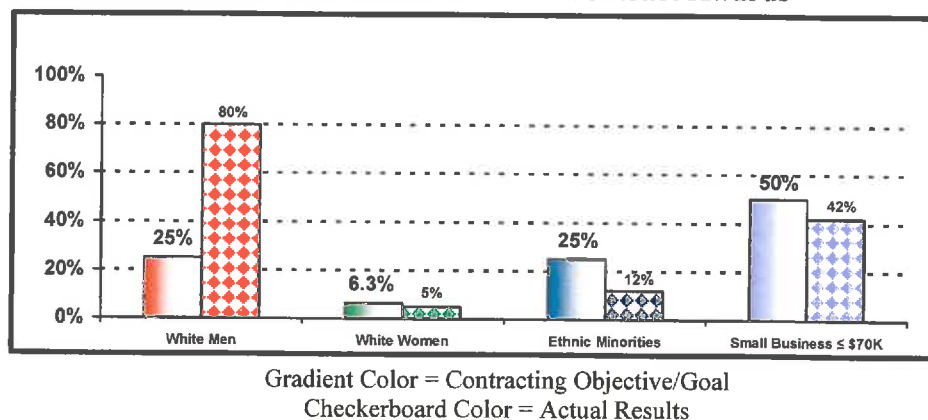
#### The District:

- Awarded contracts for approximately:
  - \$102 million to local businesses.
    - Including \$29 million to local small businesses.
  - \$41 million to small businesses.
  - \$28 million to ethnic minorities and white women businesses (EM/WWBEs) which exceeds the average annual awards to EM/WWBEs of \$24.3 million.
- Launched its electronic certified prevailing wage system which enables staff to monitor payroll submittals to the State as required by CA Senate Bill (SB) 854.
  - The new system tracks and provides information on local hiring efforts on public works projects for the local hire pilot. Staff is currently monitoring three construction projects with an additional five projects to be added by the end of December 2017.
- Achieved over 44 percent local hires on three targeted construction projects which resulted in over \$800,000 in wages.
- Awarded 78 percent of contracts to companies with a minority workforce that employ at least 50 percent of their applicable Metropolitan Statistical Area (MSA).
- Conducted four successful business development forums and participated in 34 community outreach events promoting the District's mission for diversity in contracting.
- Produced quarterly the *Equalizer* Newsletter.

### Contract Awards

In FY17, the District awarded contracts totaling approximately \$190 million with exclusions of \$26 million<sup>3</sup>. Chart 1 reflects the program results and levels of participation. See Attachment 1 for the distribution of contract awards – overall and for contract awards ≤ \$70,000.

**Chart 1. Distribution of FY17 Contract Awards**



<sup>3</sup> Excluded contracts are awards to government/nonprofit (\$2.8M), publicly held corporations (\$20.5M), foreign owned (\$3.1M) and sole source providers (\$190K).



Table 1 below provides a comparison of FY17 to FY16. Contract awards ≤ \$70,000 for small businesses increased slightly and the contracting objectives for white men and white women were achieved. The 42 percent small business participation is a 30 percent increase since the implementation of the small business component in 1999.

<b>Table 1. FY17 CONTRACT EQUITY PROGRAM PERFORMANCE</b> <i>(excludes awards to government agencies, nonprofit organizations, publicly held corporations, foreign owned, and sole source awards)</i>					
Availability Group/ Misc. Grouping	Contracting Objective %	Overall Results %		≤ \$70,000 Results %	
		FY17	FY16	FY17	FY16
White Men	25	80	69	72	56
White Women	6.3 <sup>4</sup>	5	11	12	10
Ethnic Minorities (Men/Women)	25	12	16	11	12
Unclassified	NA	3	4	6	22
Local Business	NA	54	56	50	47
Local/Small Business	NA	15	18	27	25
Small Business	50 <sup>5</sup>	22	27	42	40
<i>Micro-business</i>	NA	2	13	6	3
All Men	NA	94	84	85	65
All Women	NA	6	11	15	15
Exclusions	NA	12	15	15	11

<sup>4</sup> Weighted average based on contract distribution per contract category for FY05-FY15

<sup>5</sup> The 50% SBE goal is for contract awards of ≤ \$70,000

The distribution of \$190 million in total contract awards by gender, ethnicity, unclassified, and exclusions is shown in Table 2 below:

<b>Table 2. Distribution of FY17 Contract Awards by Gender/Ethnicity</b>								
<b>GENDER/ ETHNICITY</b>	<b>CONTRACT AWARDS</b>							
	<b>Overall</b>		<b>Local Business<sup>6</sup></b>		<b>Small Business</b>		<b>≤ \$70K</b>	
	<b>\$ Amount</b>	<b>%</b>	<b>\$ Amount</b>	<b>%</b>	<b>\$ Amount</b>	<b>%</b>	<b>Small Business \$ Amount</b>	<b>%</b>
<b>Men</b>	149,660,558	79%	85,665,171	84%	33,684,306	82%	10,121,038	44%
<b>Women</b>	10,162,775	5%	7,393,413	7%	7,063,849	17%	4,106,882	40%
White Men	131,225,221	88%	76,927,997	90%	28,344,848	84%	8,677,776	86%
White Women	8,587,997	85%	6,035,748	82%	5,676,531	80%	2,727,235	81%
African American/ Black Men	559,575	0%	482,575	1%	559,575	2%	314,075	3%
African American/ Black Women	84,639	1%	64,029	1%	63,805	1%	63,805	2%
Hispanic Men	14,277,681	10%	6,725,210	8%	2,358,602	7%	480,722	5%
Hispanic Women	297,225	3%	296,101	4%	257,130	4%	257,130	8%
Asian/Pacific Islander Men	2,746,660	2%	1,223,276	1%	2,301,869	7%	529,053	5%
Asian/Pacific Islander Women	1,120,075	11%	925,216	13%	996,052	14%	237,702	7%
American Indian/ Alaskan Native Men	148,858	0%	78,678	0%	82,358	0%	82,358	1%
American Indian/ Alaskan Native Women	72,320	1%	72,320	1%	70,000	1%	72,320	2%
Mixed Minority Men	702,563	0%	227,435	0%	37,054	0%	37,054	0%
Mixed Minority Women	520	0%	520	0%	332	0%	332	0%
<b>Unclassified</b>	4,217,781	2%	616,287	1%	237,516	1%	107,516	7%
<b>Exclusions</b>	25,603,591	14%	7,985,540	8%	28,496	0%	28,496	1%
<b>Total</b>	189,644,706	N/A	101,660,411	54%	41,014,167	22%	13,613,252	%

<sup>6</sup> "Local Business" is a business located in Alameda, Contra Costa, San Joaquin, Calaveras, Amador, and other counties directly impacted by District contracts and/or operations.

Table 3 shows the overall percentage of contracts awarded to the three availability groups and unclassified firms by contract category. For the highest level of contract participation, white men achieved 84 percent and white women achieved eight percent in materials and supplies, and ethnic minorities achieved 16 percent in general services. See Attachment 2 for a list of top prime awards by firm for each availability group and contract category.

<b>Table 3. FY17 CONTRACT PARTICIPATION (\$164M)</b> <i>(excludes awards to government agencies, nonprofit organizations, publicly held corporations, foreign owned, and sole source awards)</i>						
Availability Group/Misc. Grouping	Contract Categories					Overall
	Professional Services	General Services	Construction	Materials & Supplies	Purchasing Card	
White Men	81%	75%	79%	84%	77%	80%
White Women	6%	7%	5%	8%	5%	5%
Ethnic Minorities (Men & Women)	12%	16%	14%	6%	7%	12%
Unclassified Firms	1%	2%	2%	2%	11%	3%

### ***Small Business Enterprise***

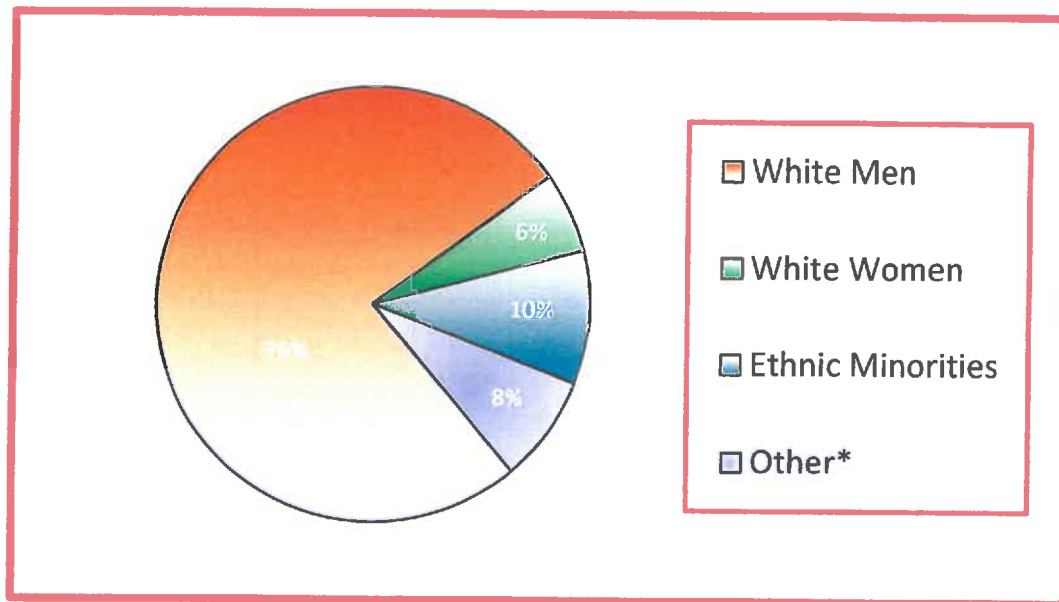
Over 2,800 small business enterprises (SBEs) are registered with the District. SBE purchases and services contracts totaled \$41 million with \$5 million going to micro-businesses<sup>5</sup>. Our ongoing commitment to SBE's continue to be demonstrated by providing the five percent bid discount incentive on competitively bid contracts and the 25 percent set-aside for contracts ≤ \$70,000.

For contract awards ≤ \$70,000, small businesses received \$14 million (42%), a two percent increase from FY16, and a three percent increase to micro-businesses. The level of participation by availability group was 64 percent for white men, 20 percent for white women and 15 percent for ethnic minorities with one percent for unclassified firms. The highest level of SBE participation for contract awards ≤ \$70,000 was 56 percent for general services awards.

### ***Local Business Enterprise***

The District encourages participation of firms located in the District's service area or in counties directly impacted by District contracts and/or operations. Even though there is no numeric goal established for local businesses, efforts to increase local participation resulted in \$101.6 million (54 %) in District contract awards compared to 56 percent in FY16. Chart 2 on the following page provides the distribution of local business awards by availability group.

**Chart 2. FY17 Distribution of Local Business Awards**



*\*Other is defined as contracts awarded to government/nonprofit, publicly held corporations, or foreign owned.*

The highest overall level of local business enterprises (LBEs) participation was for construction (67%). For contract awards  $\leq$  \$70,000, local businesses received \$16 million (50%) in District contract awards which decreased from FY16, \$19 million (48%).

Local Small Business Enterprises (L/SBEs) received \$29 million (15%) in overall contract awards compared to \$32 million (18%) in FY16. The highest overall level of L/SBE participation was for construction (63%). For contract awards  $\leq$  \$70,000, the L/SBE participation was \$9 million (27%) compared to \$10 million (25%) in FY16. The highest level of participation was in general services at 42 percent.

### ***Pilot Local Hire***

Staff manually extracts workforce data from the certified payroll reports using the listed address of each listed worker to determine those within the District's service area. That data is being collected from six projects west of the hills and reflects a total of 359 workers on District jobsites with 26 percent (95 workers) living in the service area.

Since the launch of the local hire pilot in October 2015, staff gathered contractors' employment data for targeted construction projects. At the end of FY17, one local hire project met its good faith goal of 50 percent and two other projects achieved 47% and 44%. However all three projects met the local hire good faith goals of 30 percent from the county(ies) directly impacted by the projects. Table 4 is a summary of the jobsite workforce for three projects along with wage data. Projects will be continually added as actual work begins on the jobsite with staff ceasing manual extraction by the end of December 2017.

**Table 4. Jobsite Workforce Local Hire Status Summary**  
As of June 30, 2017

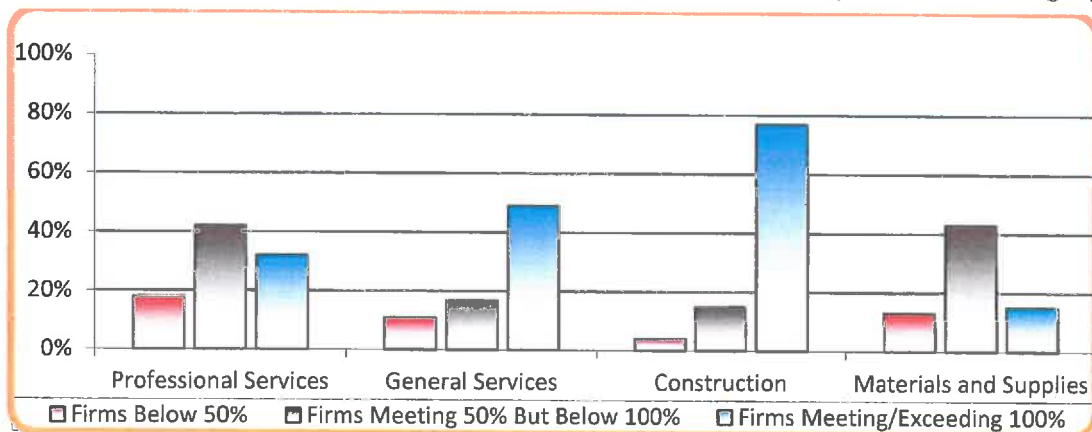
Project County(ies) Location	Total Work Hours	Local Work Hours				County Work Hours		
		Number of Hours	Percentage of Total Work Hours	GOAL	Wages with Benefits	Number of Hours	Percentage of Local Work Hours	GOAL
<b>Spec. 2089</b> Orinda Reliability and Maintenance - Shutdown (Contra Costa County)	4083	1915	<b>47%</b>	<b>50%</b>	\$494.0K	700	<b>37%</b>	<b>30%</b>
<b>Spec. 2095</b> Orinda Reliability and Maintenance – Filter Underdrain (Contra Costa County)	3208	1400	<b>44%</b>	<b>50%</b>	\$291.0K	778	<b>56%</b>	<b>30%</b>
<b>Spec. 2117</b> Sobrante and Upper San Leandro Ozone Systems (Contra Costa County)	198	155	<b>78%</b>	<b>50%</b>	\$36.4K	150	<b>97%</b>	<b>30%</b>

### *Contractors' Compliance with Equal Employment Opportunity*

Of the 247 major contract awards (over \$70K) in FY17, 217 firms submitted employment data. This data reflects that 78 percent (170 firms) awarded contracts to companies with minority workforces that employ at least 50 percent of their applicable Metropolitan Statistical Area (MSA). Of those 170 firms, 41 percent either met or exceeded their MSA for their local communities.

Contractors' compliance results by contract category are shown in Chart 3. Firms providing construction for the District have the most diverse employment record with 92 percent having a minority workforce profile meeting and exceeding 100 percent of their applicable MSAs. A review of the 63 general services contract awards reflects that approximately 27 percent (17 firms) were below 50 percent of the parity.

**Chart 3. FY17 Contractors' Compliance Results for CCEEO by Contract Category**



## *Outreach and Community Participation*

The District has long recognized that small, diverse, and local businesses play an important role in our business and as a result, has had an active outreach program in place for more than 32 years. This function is embedded within our organization to promote the District's CEP program and staff engages in race- and gender-neutral internal and external outreach activities designed to:

- identify potential firms to bid on District projects
- spark a firm's interest in doing business with the District
- educate firms on how to do business with the District
- educate District staff on our contracting process, including the CE Program, and
- promote the District's CE Program and mission in the community at large.

A major factor in maintaining a successful CE Program is achieving wide visibility and support for the program. Staff participated in numerous outreach activities in FY17 to aggressively promote diversity and inclusion in the District's contracting processes including:

- Conducting three *Business Forums*:
  1. EBMUD and Alameda County Public Works Agency – *Construction Contractors Academy Series 1* (October 2016, Oakland, CA).

EBMUD partnered with Alameda County Public Works Agency to host its first *Construction Contractors Academy Series 1*. Series 1 provided information on general public works' administration and estimating and bidding strategies during the three Saturday 4-hour sessions.
  2. EBMUD and Alameda County Public Works Agency - *Construction Contractors Academy Series 2* (January 2017, Oakland, CA).

EBMUD partnered with Alameda County Public Works Agency to host its first *Construction Contractors Academy Series 2*. Series 2 provided basic project management skills needed on public works construction projects during three Saturday 4-hour sessions to perform more effectively in the public sector market once they receive an actual contract.
  3. EBMUD partnered with the City of Richmond (Richmond Build), The Stride Center, eQuip Richmond (Chevron), and The Construction Resource Center to conduct a Project Management Training program for construction contractors (May 2017, Richmond, CA).

Basic project management topics included risk management, inspections, quality standards, safety, project resources, scheduling, and project closeout were presented during the 30-hours of training over a 10-week period.
  4. EBMUD partnered with nineteen other agencies and organizations to host its 2<sup>nd</sup> *Annual Contracts & Procurement Opportunities Workshop & Trade Fair* small business forum (June 2017, Oakland, CA).

The forum provided information on the District's Contract Equity Program and its new electronic certified prevailing wage software. Various local agencies gave presentations on their contracting and certification processes, mentor protégé program, and upcoming contract and educational opportunities. The trade fair provided attendees direct access to 19 public agencies and business resource assistance centers.



- Additionally, staff participated in 23 community events, 6 business expos/conferences, conducted 5 presentations and placed 19 magazine advertisements promoting the District's mission for diversity in contracting. (See Attachment 3 - Listing of Key Outreach Activities.)
- Quarterly production of the *Equalizer* Newsletter to inform prospective businesses of contracting opportunities.
- Participation in the following:
  - American Indian Chamber of Commerce – *Corporate Advisory Committee*.
  - Astra Women Business Alliance – *Women in Construction Corporate Advisory Group*.

#### Employee Award:

- On September 3, the American Contract Compliance Association presented its Parren J. Mitchell Crusader Award during its 30<sup>th</sup> Anniversary Celebration to Beverly Johnson, Contract Equity Administrator (Chicago, IL). The award recognizes an individual who pioneers and nurtures contracting opportunities for historically underutilized businesses. It recognizes an individual for vision, initiative, and for creating programs that advance the objectives of supplier diversity, and promote inclusion of all business enterprises in major development and redevelopment projects vital to the future growth of the business community. Approximately 500 participants attended.

## MAJOR FOCUS FOR FY18

EBMUD continues to invest resources to promote supplier diversity and local participation for economic health. Looking forward, the emphasis for FY18 is the ongoing implementation of the local hire component and the promotion of the inclusion of Disabled Veterans Business Enterprises in the definition of small business. Work is underway to develop an automated process to better track, administer and report on CE Program information acquired from contractors. This includes gathering more data from the electronic certified payroll system on the positive economic impact of District construction on the local labor market.

Additionally, staff will continue to address initiatives to the CE Program including the following:

Table 4. Contract Equity Program FY18 Initiatives	
Initiatives	Next Steps
1. Continue the pilot local hire component on construction projects with good faith goals of 50 percent for local residents with 30 percent being from the county(ies) directly impacted by the program	<ul style="list-style-type: none"> <li>Monitor local hire awards,</li> <li>Evaluate upcoming construction contracts for inclusion in pilot local hire component, and</li> <li>Investigate centralizing labor/prevaling wage/contract compliance efforts.</li> </ul>
2. Expand contracting opportunities	<ul style="list-style-type: none"> <li>Improve efforts for achieving contracting objectives               <ul style="list-style-type: none"> <li>Update business database,</li> <li>Update Engineering Consultant Roster,</li> <li>Expand role of Internal Contract Equity Program Advisory Committee, and</li> <li>Target on-call and contracts of \$70K or less.</li> </ul> </li> <li>Improve SBE participation:               <ul style="list-style-type: none"> <li>Investigate increasing \$70K threshold for SBE set-asides and</li> <li>Investigate expansion of the SBE incentives to primes using a minimal level of SBE subcontractors.</li> </ul> </li> </ul>
3. Continue to engage in vigorous outreach and education efforts	<ul style="list-style-type: none"> <li>Conduct business forums:               <ul style="list-style-type: none"> <li>Economic Business Development in partnership with Astra Women Business Alliance, Western Regional Minority Supplier Development Council, Chevron, Pacific Gas &amp; Electric, and Wells Fargo Bank (November 2017), and</li> <li>Targeted Contract Opportunities Workshop (May or June 2018).</li> </ul> </li> <li>Conduct survey to businesses to assess District outreach activities and contracting processes via the District's database.</li> </ul>



### ***Initiative 1 – Continue Local Hire Pilot:***

In addition to monitoring and expanding local hiring effort for compliance with good faith goals, the electronic certified payroll system will be used to provide staff quantitative data on the positive economic impact of District construction projects on the local labor market such as wages and workforce demographics. Staff will be participating in a pilot using Microsoft Power BI (business analytics tools) for benchmarking District results regionally and nationally.

Staff will review workflow processes associated with contract, labor, and prevailing wage compliance activities throughout the District and access if these activities should be centralized as they are with other local agencies.

### ***Initiative 2 – Expand Contracting Opportunities & Initiative 3 – Continue Outreach and Education:***

The ongoing challenges for meeting white women and ethnic minorities' contracting objectives are associated with the legal requirements of awarding contracts based on the lowest responsible bid and ensuring that no preference is given to any specific group based on race or gender and the large number of projects requiring specific expertise which limits contract opportunities. Staff continues to review contracting processes for fairness and possible barriers for new firms, and to solicit engagement internally and externally for the CE Program, to assist in increasing the number of diverse firms bidding on District projects.

Therefore staff continues to increase the number of diverse firms bidding on District projects, to review contracting processes for fairness and possible barriers for new firms, and to solicit engagement internally and externally for the CE Program.

Staff will update the current database to improve effectiveness of matching potential, proposers to contract opportunities. Updating the database will also identify new firms interested in doing business with the District. The first phase will focus on construction related firms and on-call services. In addition the firms will be asked to complete a survey to assess District outreach activities and contracting processes.

The FY15 Engineering Consultant Roster (ECR) is scheduled to be updated. The ECR is used in the selection of consultants for contracts that do not exceed \$750,000 and intended to shorten project cycle time, decrease project costs, and provide greater staffing flexibility for the District. The update will reflect the District's proposed contract needs for the next two to four years and target appropriate diverse firms, and include a review of the guidelines to identify ways to improve opportunities for small diverse firms.

To improve small business participation, staff will direct their outreach and education efforts on the following possible reasons for low participation:

1. Lack of information on a firm's size in the District's database
2. Lack of small firms and staff's knowledge or understanding of the SBE component

To expand contracting opportunities for small businesses, staff will investigate increasing the maximum dollar cap for small business set-asides which is now \$70,000 and investigate applying an SBE bid discount to prime contractors who meet a targeted goal for SBE subcontractor

participation. The purpose of offering an incentive such as a bid discount is to encourage and facilitate full and equitable participation by SBEs on District contracts that are awarded through a competitive bid process. Currently the District provides an incentive to SBEs who bid as primes.

## ATTACHMENTS

**FY17 – OVERALL DISTRIBUTION OF CONTRACT AWARDS**  
**East Bay Municipal Utility District**  
**July 1, 2016 – June 30, 2017**

Contract Category/Awards (\$)		Availability Group/ Misc. Grouping	Contracting Objective %	FY16 YEAR-END Results %	FY17 Results %
Professional Services	\$12.0M*	White Men	25.0	73.4	81.3
		White Women	6.0	13.8	5.9
		Ethnic Minorities	25.0	6.1	12.1
		Unclassified	NA	6.7	0.7
	\$13.5M	Local Business	NA	55.0	41.9
		Local/Small Business	NA	6.8	6.6
		Small Business	50.0	21.4	24.8
		Microbusiness	NA	0.4	5.4
General Services	\$10.3M*	White Men	25.0	47.3	75.8
		White Women	6.0	6.0	6.7
		Ethnic Minorities	25.0	28.4	15.5
		Unclassified	NA	18.3	2.0
	\$14.2M	Local Business	NA	36.4	37.7
		Local/Small Business	NA	19.0	22.0
		Small Business	50.0	31.8	30.4
		Microbusiness	NA	3.8	5.7
Construction	\$104.8M*	White Men	25.0	76.3	79.2
		White Women	9.0	8.3	4.4
		Ethnic Minorities	25.0	15.0	14.0
		Unclassified	NA	0.4	2.4
	\$109.4M	Local Business	NA	72.8	62.5
		Local/Small Business	NA	25.1	16.8
		Small Business	50.0	29.1	20.3
		Microbusiness	NA	17.2	1.3
Materials & Supplies	\$29.5M*	White Men	25.0	68.1	84.6
		White Women	2.0	9.4	7.5
		Ethnic Minorities	25.0	14.5	6.0
		Unclassified	NA	8.0	1.9
	\$43.8M	Local Business	NA	37.3	43.4
		Local/Small Business	NA	13.0	11.2
		Small Business	50.0	24.4	19.9
		Microbusiness	NA	19.0	3.3
Purchase Cards	\$7.2M*	White Men	25.0	36.4	77.0
		White Women	2.0	3.5	5.4
		Ethnic Minorities	25.0	6.5	7.1
		Unclassified	NA	53.6	10.5
	\$8.7M	Local Business	NA	16.3	37.1
		Local/Small Business	NA	16.8	19.3
		Small Business	50.0	22.0	27.6
		Microbusiness	NA	1.2	2.4
Overall Contracts	\$164.0M*	White Men	25.0	69.2	80.0
		White Women	6.3 <sup>2</sup>	10.6	5.2
		Ethnic Minorities	25.0	15.6	12.2
		Unclassified	NA	4.6	2.6
	\$189.6M	Local Business	NA	55.6	53.6
		Local/Small Business	NA	18.3	15.3
		Small Business	50.0	26.7	21.6
		Microbusiness	NA	12.5	2.4

<sup>1</sup> Ethnic Minorities includes Men and Women.

<sup>2</sup> Weighted average based on contract distribution per contract category for FY99-FY02; for the District overall and departments with construction awards, the contracting objective is 6.3 percent; for departments without construction awards, the objective is 3.5 percent.

**FY17 – DISTRIBUTION OF CONTRACT AWARDS OF \$70,000 OR LESS**  
**East Bay Municipal Utility District**  
**July 1, 2016 – June 30, 2017**

Contract Category		Availability Group/ Misc. Grouping <sup>1</sup>	Contracting Objective %	FY16 YEAR-END Results %	FY17 Results %
Professional Services	\$2.4M*	White Men	25.0	51.1	59.3
		White Women	6.0	13.8	21.4
		Ethnic Minorities	25.0	17.5	16.1
		Unclassified	NA	17.6	3.2
	\$2.5M*	Local Business	NA	66.9	48.7
		Local/Small Business	NA	33.7	23.9
		Small Business	50.0	52.8	53.5
		Microbusiness	NA	3.7	5.7
General Services	\$6.2M*	White Men	25.0	60.1	72.3
		White Women	6.0	7.1	10.9
		Ethnic Minorities	25.0	15.0	13.5
		Unclassified	NA	17.8	3.3
	\$6.9M	Local Business	NA	53.6	66.3
		Local/Small Business	NA	30.1	42.1
		Small Business	50.0	45.1	55.6
		Microbusiness	NA	8.0	10.3
Construction	\$1.6M*	White Men	25.0	63.1	70.7
		White Women	9.0	1.2	14.3
		Ethnic Minorities	25.0	9.8	13.7
		Unclassified	NA	25.9	1.3
	\$1.6M	Local Business	NA	69.5	56.6
		Local/Small Business	NA	24.4	36.5
		Small Business	50.0	40.7	46.8
		Microbusiness	NA	0.0	2.6
Materials & Supplies	\$10.9M*	White Men	25.0	62.4	71.1
		White Women	2.0	13.6	13.3
		Ethnic Minorities	25.0	13.0	10.4
		Unclassified	NA	11.0	5.2
	\$12.5M	Local Business	NA	48.2	48.3
		Local/Small Business	NA	25.8	23.3
		Small Business	50.0	44.1	41.4
		Microbusiness	NA	2.4	5.9
Purchase Cards	\$7.2M*	White Men	25.0	38.3	77.0
		White Women	2.0	3.9	5.4
		Ethnic Minorities	25.0	6.3	7.1
		Unclassified	NA	51.5	10.5
	\$8.7M	Local Business	NA	33.1	37.1
		Local/Small Business	NA	17.5	19.3
		Small Business	50.0	22.9	27.6
		Microbusiness	NA	1.2	2.4
Overall Contracts	\$28.5M*	White Men	25.0	56.0	71.8
		White Women	6.3 <sup>2</sup>	10.1	11.5
		Ethnic Minorities	25.0	12.1	10.9
		Unclassified	NA	21.9	5.8
	\$32.4M	Local Business	NA	46.5	49.6
		Local/Small Business	NA	24.8	27.0
		Small Business	50.0	39.6	42.0
		Microbusiness	NA	3.1	5.7

\*Total contract awards excluding government, nonprofit, publicly held corporations, foreign-owned and sole source awards.

<sup>1</sup> Ethnic Minorities includes Men and Women.

<sup>2</sup> Weighted average based on contract distribution per contract category for FY99-FY02; for the District overall and departments with construction awards, the contracting objective is 6.3 percent; for departments without construction awards, the objective is 3.5 percent.

# TOP PRIME PROFESSIONAL SERVICES AWARDS

FY17 (July 1, 2016 – June 30, 2017)

Prime Firm	Project Description	Availability Group	Contract Amount
ESA	Environmental/CEQA Support Services For The Central Reservoir Replacement Project	White Men	\$1,566,505
INTEGRAL GROUP, INC.	Professional Services for EBMUD's Administration Building's Hvac System Upgrade Project	White Men	\$1,566,138
COOPER PUGEDA MANAGEMENT, INC.	Construction Support Consulting Services	Ethnic Minority Men (Asian)	\$915,407
HONEYWELL PROCESS SOLUTIONS	Engineering Services for the Sobrante and Upper San Leandro Water Treatment Plants Control System	Publically Held Corporation	\$650,000
BAY AREA COATING CONSULTANTS	Construction Inspection Support for the Recoat Mokelumne Aqueduct Project	White Men	\$580,140
ALTIVON L.P.	Professional Services Related to Data/Voice Circuits, Telecom Services, Licenses, and Cloud-Based Hosting	White Men	\$511,000

# TOP PRIME GENERAL SERVICES AWARDS

FY17 (July 1, 2016 – June 30, 2017)

Prime Firm	Project Description	Availability Group	Contract Amount
DENALI WATER SOLUTIONS LLC	Biosolids Hauling, Tipping for Land Application, Tipping for Landfill Alternative Daily Cover, Tipping at Lystek Facility and Landfill Disposal.	Foreign Company	\$2,538,199
SCHNEIDER ELECTRIC	Provide Electrical Services	White Men	\$1,274,840
REGATTA SOLUTIONS INC.	Provide Administration Building (Ab) Microturbine	Ethnic Male (Hispanic)	\$600,000
PACIFIC STATES MARINE	Provide A Marking/Tagging And Recovery Program For Chinook Salmon And Steelhead Trout At The Mokelumne River	Government/ Non Profit	\$500,000
CIVICORPS SCHOOLS	Provide Landscape And Vegetation Control At Various District Locations.	Government/ Non Profit	\$480,893
THE DUTRA GROUP	Emergency Installation of Rip-Rap	Ethnic Male (Hispanic)	\$350,000

**TOP PRIME CONSTRUCTION AWARDS**  
**FY17 (July 1, 2016 – June 30, 2017)**

<b>Prime Firm</b>	<b>Project Description</b>	<b>Availability Group</b>	<b>Contract Amount</b>
C. OVERAA & CO.	Specification 2089 – Orinda WTP, Shutdowns, Hypochlorite and Electrical Improvements	White Men	\$17,039,694
SIERRA MOUNTAIN CONSTRUCTION	Specification 2121 – Bacon, Mendocino, and Pearl Reservoirs Rehabilitation	Ethnic Men (Hispanic)	\$5,951,000
MOUNTAIN CASCADE, INC.	Specification 2114 - Faria Pumping Plant & No. 1 And 2 Reservoirs Construction and San Ramon Reservoir Rehabilitation	White Men	\$5,154,243
KIEWIT INFRASTRUCTURE WEST CO.	Specification 2106 - Upper San Leandro Reservoir Tower Upgrade	White Men	\$4,664,067
GSE CONSTRUCTION CO.	Specification 2106 - Upper San Leandro Reservoir Tower Upgrade	Ethnic Men (Hispanic)	\$4,616,165
CERTIFIED COATINGS COMPANY	Specification 2123 - Recoat Mokelumne Aqueduct No. 1 Phase 12	White Men	\$3,457,282



# TOP PRIME MATERIAL & SUPPLIES AWARDS

FY17 (July 1, 2016 – June 30, 2017)

Prime Firm	Project Description	Availability Group	Contract Amount
HILL BROTHERS CHEMICAL CO.	Aqua Ammonia for Water	White Men	\$3,775,000
KEMIRA WATER SOLUTIONS	Ferric Chloride for Wastewater and Ferrous Chloride for Wastewater	Publicly Held Corporation	\$2,672,500
OLIN CHLOR ALKALI PRODUCTS	Caustic Soda for Water Treatment Plants and Sodium Hydroxide Solution San Pablo	Publicly Held Corporation	\$1,944,630
AIRGAS, INC.	Full Service Maintenance and Repair Services or Lox System	Foreign Company	\$1,771,433
ECHOLOGICS, LLC	Water/Wastewater Monitoring Equipment and Pipeline Tools	Publicly Held Corporation	\$1,306,630
PETERSON POWER SYSTEMS, INC.	Engine Generator Package System as Specified in Rfq 1702 200 Kw	White Men	\$1,028,314

## FY17 KEY OUTREACH ACTIVITIES

*(Bold text indicates District partner support)*

**Business Forum:** Staff provided information on how to do business with the District and Alameda County, general public works' administration, estimating and bidding, and upcoming contract opportunities.

- EBMUD and Alameda County Public Works Agency – *Construction Contractors Academy Series 1* (October 2016, Oakland, CA)
- EBMUD partnered with Alameda County Public Works Agency to host its first *Construction Contractors Academy Series 2* (January 2017, Oakland, CA).
- EBMUD partnered with the City of Richmond (Richmond Build), The Stride Center, eEquip Richmond (Chevron), and The Construction Resource Center to conduct a Project Management Training program for construction contractors (May 2017, Richmond, CA).
- EBMUD partnered with 19 other agencies to host its *2<sup>nd</sup> Annual Contracts and Procurement Opportunities Trade Faire* (June 8, 2017, Oakland, CA)

**Presentations:** Staff provided information on how to do business with the District and upcoming contract opportunities.

- Astra Women's Business Alliance – *WBE Northern California Economic Summit* (July 2016, San Ramon, CA)
- Alameda County Public Works Agency hosted its *Building Opportunity for Business (BOB) Workshop* (July 2016, Hayward, CA)
- San Francisco Public Utilities Commission – *3<sup>rd</sup> Annual Women in Construction Expo* (October 2016, San Francisco, CA)
- Turner Construction Company – *Turner School of Construction Management Series' Resource Night* (Oakland, CA)
- Alameda County Public Works Agency hosted its *Building Opportunity for Business (BOB) 2017 Upcoming Construction Contract Opportunities Meeting* (January 2017, Hayward, CA)

**Trade Fairs/Conferences:** Staff disseminated information on the CE Program, Small Business incentives and upcoming opportunities.

- **The Disabled Veteran Business Alliance** – *Keeping the Promise Information Technology & Professional Services Expo* (July 2016, San Ramon, CA)
- **Union Bank and the U.S. Small Business Administration** – *2016 Business Matchmaking* (September 2016, Oakland, CA)
- **California Public Utilities Commission and Frontier Communications** – *CPUC/Frontier Fresno Small Business Expo* (October 2016, Fresno, CA)
- **Women Construction Owners & Executives, California Chapter** – *Leadership Conference* (October 2016, San Francisco, CA)
- **State of California Department of General Services** – *Small Business Certification & Procurement Workshop & Networking* in (February 2017, San Jose, CA)
- **State of California Department of General Services** – *2017 Winter Business Showcase* in (February 2017, Sacramento, CA)

**Community Events & Public Outreach:** Staff networked with small businesses and community organizations explaining how to do business with the District and providing information on upcoming contract opportunities.

- The Bay Area Black Expo Foundation - *3<sup>rd</sup> Annual Blue Diamond Scholarship Awards Gala* (Oakland, CA)
- Pacific Gas & Electric - *Supplier Development Graduating Class 2016* (San Francisco, CA)
- Western Regional Minority Supplier Development Council - *Open House* (Oakland, CA)
- Oakland African-American Chamber of Commerce - *Chairman's Reception – A New Face/A New Focus* (Oakland, CA)
- **San Francisco Public Utilities Commission** - *Women in Construction Workshop* (San Francisco, CA)
- **Western Region Minority Supplier Development Council** – 2016 Minority Business Expo - *Staying in the Game, Becoming More Competitive* (So. San Francisco, CA)
- Women Construction Owners & Executives – California Chapter - *General Membership Meeting* (Teleconference)
- Richmond Chamber of Commerce – *West Contra Costa Breakfast Business Gathering* (Richmond, CA)
- **Chinese for Affirmative Action** - *47<sup>th</sup> Anniversary Celebration of Justice* (San Francisco, CA)
- **Oakland African American Chamber of Commerce** – *13<sup>th</sup> Annual Business and Scholarship Awards Luncheon* (Oakland, CA)
- **Asian, Inc. and Minority Business Development Agency** – *45<sup>th</sup> Annual Gala "Own Your Future"* (San Francisco, CA)
- The Conference of Minority Transportation Officials – *California Transit Association Annual Conference "For A Meet & Greet Reception"* (Oakland, CA)
- Turner Construction Company – *Professional Women Group Annual Event and Job Site Tour* (San Francisco, CA)
- **Astra Women Business Alliance** – *2<sup>th</sup> Annual Holiday Award Luncheon for Excellence* (San Francisco, CA)
- American Indian Chamber Conference – Northern California Membership Meeting (San Francisco, CA)
- Fremont Chamber of Commerce & ICE Safety Solutions' MBE 2 MBE Open House; Ribbon Cutting (Fremont, CA)
- Western Region Minority Supplier Development Council Best Practices – How to Engage Primes (Oakland, CA)
- City of Oakland and U. S. Small Business Administration's National Small Business Week – Celebrating Oakland Businesses Awards Reception (Oakland, CA)
- American Indian Chamber of Commerce – California Legislative Day (Sacramento, CA)
- **Western Regional Minority Supplier Development Council** – 40th Anniversary Black Tie Awards (Oakland, CA)
- San Francisco Public Utilities Commission 11th Annual Construction Contractor's Breakfast (San Francisco, CA)
- Astra Women's Business Alliance's Best Practices Supplier Diversity Summit (San Ramon, CA)

**Participation on the following:**

- American Indian Chamber of Commerce - Corporate Advisory Committee
- Women Construction Owners & Executives – California Chapter Board of Directors

**ADVERTISEMENTS**

- American Indian Chamber of Commerce of CA
- American Contract Compliance Association
- Asian Business League of San Francisco
- Asian Enterprise Magazine
- Asian, Inc.
- Bay Area Black Expo, LLC
- California Hispanic Chamber of Commerce
- California Black Chamber of Commerce
- Construction Resource Center
- Cypress Mandela Training Center, Inc.
- Hispanic Chamber of Commerce of Contra Costa County
- Latino Times
- Minority Business Enterprise Magazine
- National Association of Minority Contractors
- Pride & a Paycheck
- R. Warren Media
- San Joaquin County Hispanic Chamber of Commerce
- Western Regional Minority Supplier Development

## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: October 5, 2017

MEMO TO: Board of Directors

THROUGH: Alexander R. Coate, General Manager *ARC*

FROM: Laura Brunson, Manager of Human Resources *Laura*

SUBJECT: Update on Wellbeing Program

### SUMMARY

The District's Strategic Plan sets out objectives for the continuous development of employees to meet workforce demands. The District's Wellbeing Program is one of the elements that contributes to the development of the District's employees. This memo provides an update on the District's Wellbeing Program, which will be discussed during the Legislative/Human Resources Committee meeting on October 10, 2017.

### DISCUSSION

Corporate Wellness and Wellbeing Programs continue to be important to employers across the nation. The goals of these programs include improved employee health, lowered lost time due to illness and injury, improved employee engagement, and improvements in time lost due to presenteeism<sup>1</sup>.

The District has a number of Wellbeing Program elements that promote a healthy work environment, good health, and strong productivity. The District offers broad range benefits that address the intellectual, physical, emotional, financial, and social dimensions of wellbeing. These offerings include:

- Medical, dental and vision plans.
- Disability, workers' compensation, and life insurance.
- Employee assistance programs.
- A variety of pre-tax savings plans.
- Regular training on safe working practices.
- Additional offerings listed on Attachment A.

Staff continues to seek new opportunities for engaging and educating employees on wellbeing topics. At the end of 2015, a work study group session was held with staff and union representatives to discuss the current health of District employees and to brainstorm new ways to reach employees about wellbeing. From that meeting came the idea of holding the District's first

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<sup>1</sup> Presenteeism - The problem of workers' being on the job but, because of illness or other medical conditions, including anxiety over ill family members, not fully functioning. Presenteeism may be a much costlier problem than its productivity-reducing counterpart, absenteeism.

Wellbeing Month to spend a focused period of time on wellbeing. The District's inaugural Wellbeing Month was held in January 2017 with the three themes of Move, Nourish, and Relax.

The table below shows the types and number of events held across the month as well as the number of employees who participated. At each yard location, staff brought a breakfast of oatmeal with fresh fruit and nuts. The presentations included a quick review of the state of District health, stretch bands and a stretching presentation, healthy eating tips, and recipes for breakfast and lunch on the go. The District's first Wellbeing Month was a success due to the teamwork of more than 23 staff volunteers.

Event	# of Sessions	# of Attendees
Move Challenge	All Month	40
EAP: Stress Management, Elder Care, Wellness	10	100
Wellbeing at Yard Safety Meetings	11 (6AM)	406
Stretching Session	1	18
Walk/Run (in the rain)	1	18
Movie – Food Choices	2 (split)	22 / 32
Healthy Eating Potluck	1	47
Move, Nourish, and Relax Emails	13	Sent to all staff

Staff is in the planning stages for the next Wellbeing Month. Thirty (30) employees have volunteered to be wellbeing champions across the District. The first meeting of the wellbeing champion volunteers was held in September and the team is now preparing for January's Wellbeing Month 2018. The themes will again be Move, Nourish, and Relax. There will be a focus on diabetes prevention and a concerted effort to ensure participation all across the District.

ARC:LB:LS:rdw

Attachment

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# **ATTACHMENT A**

## **CURRENT EBMUD WELLBEING PROGRAM ACTIVITIES**

### **Intellectual**

- Tuition reimbursement
- Manager and Supervisor Training (MAST), Leadership Academy (LEAD)
- Peralta Certificate Training
- Technical skills training
- Engineering Forums

### **Physical**

- Ergonomics analyses
- Annual flu shots
- Blood drives
- Health fairs
- Recreation area passes
- On-site gyms
- Yoga classes
- Promotion of team sporting events: Dragon Boats, Chase Corporate Challenge Run, etc.

### **Emotional**

- Employee Assistance Program (legal advice, marital/family counseling, elder/child care issues, financial help)
- Flexible work schedules to balance work/life
- Paid time off (sick, vacation, holidays)
- Employee Excellence Awards
- Conflict Resolution Class
- Emergency Preparedness (education, training, materials)
- Guaranteed Ride Home Program

### **Financial**

- Retirement Planning (workshops, tools assistance)
- Deferred Compensation Plans (401k, 457, 401a)
- Defined Benefit Plan
- Flexible Spending Accounts (medical and dependent care)
- Credit Union
- Computer Loans
- Public Transit Subsidy

### **Social**

- UDEA activities and events
- Women in Trades Program
- Cultural diversity celebrations
- Toastmasters
- Engineers' Week
- Retirement celebrations
- Retiree lunches
- Take-Your-Child-to-Work programs
- Bi-annual picnic
- Various holiday events