

## Equal Opportunity Review Commission

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### MINUTES

Wednesday January 17, 2017

12:00 PM

City County Building

Sixth Floor City Stats Room 646

414 Grant Street, Pittsburgh, PA 15219

**Commissioners in Attendance:** Erin Conley, Justin Laing, Barry Nathan, Demeshia Seals, Gonzalo Manchego, James Myers Jr., Jennie Sweet-Cushman, Andrea Vasquez

**Absent Commissioners:** Karen Hall, Tracey McCants-Lewis

**Staff in Attendance:** Oliver Beasley, Chuck, Durham, Valerie McDonald-Roberts, Emily Pontarelli, Ricardo Williams

**I.** Minutes are approved for December 2017 with amendment from Laing.

**II. Committee Report Updates**

- Vasquez gives a WBE Committee update regarding the March 8<sup>th</sup> event and asked commissioners to help spread the word.

**III. Chairman's Remarks**

Laing expresses concern regarding VMWare contract from the December EORC meeting that was not approved. A letter was received from Director Haller to the Commission expressing concern that this could cause major disruption in operations if the plan was not approved. Laing notes that he sent a response asking several questions that would warrant a revote in front of the Commission, but did not receive a response. Laing then states that he received another letter from the Mayor's Office to the Office of Innovation and Performance stating that although the Commission did not approve the contract, they are able to proceed with the execution of the contract.

Laing also mentions that the URA will be meeting with himself and Gonzalo regarding why the URA stopped presenting to the EORC and what should be counted. Laing invites all Commissioners to attend the meeting on January 25<sup>th</sup>.

Laing discusses a contract that was pulled from today's EORC meeting from the Housing Authority and questions good faith effort.

**IV. Resubmissions**

- **1712-04-Human Resource & Civil Service, Workers Compensation Claims Audit Services (Strategic Claims Direction)**

David Reed, Manager of Risk Management in the Department of Human Resources and Civil Service, presents the Strategic Claims Direction contract.

Williams notes that this contract was tabled from last month because there was no representation last month.

Reed discusses the procurement and bidding process and the firms who bid. These firms did not have MBE or WBE participation. The chosen vendor is a one-person operation and therefore had no need for subcontractors. However, since they haven't had the opportunity to meet in person and discuss the scope of work other than past history, it could be that the work is more than the prime could handle and would have to seek additional help.

Laing states that there isn't a good faith effort here. And, although this is not in the prime's normal practice, in order to participate in this market there are requirements that must be met.

Laing motions to not approve this plan. Conley seconds.

Conley makes the comment that in professional service contracts which are often self-performing, the reason why the bid was the lowest is because they're self-performing.

Laing calls for a vote. Vote is tied four to four.

**PLAN IS NOT APPROVED**

## **V. Chairman's Remarks Continued**

Laing continues the discussion of the Housing Authority security contract that was pulled from the agenda in order to check that the letters were actually sent to MBE and WBE vendors. Laing also states that he asked if it was possible for the prime contractor to break the contract into multiple parts.

Laing then returns the discussion to the VMWare contract and introduces Assistant Solicitor, Matt Stidle. Stidle notes that there needs to be a formalized process for issuing waivers and the City ordinance needs some clarification.

There is discussion on the role of City Council and the timing of the EORC process.

## **VI. Adjournment**