

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON SMALL BUSINESS JOINTLY WITH  
COMMITTEE ON CIVIL SERVICE AND LABOR

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B E F O R E:

ROBERT E. CORNEGY, JR.  
Chairperson

I. DANEEK MILLER  
Co-Chair

COUNCIL MEMBERS:

MATHIEU EUGENE  
PETER A. KOO  
KAREN KOSLOWITZ  
RUBEN WILLS  
CARLOS MENCHACA  
PAUL A. VALLONE  
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DARLENE MEALY  
DANIEL DROMM  
ANDY L. KING  
RAFAEL SALAMENCA, JR.



## A P P E A R A N C E S (CONTINUED)

Kimberly Hardy  
Deputy Commissioner for Economic and Financial  
Opportunities at New York City's Department of  
Small Business Services

Andrew Schwartz  
SBS general counsel

Ashley Putnam  
Advisor at the Mayor's Office of Workforce  
Development

Hazel Dukes  
President of the NAACP

Bertha Lewis  
Founder and President of the Black Institute

James Sanders Junior  
State Senator of New York

COMMITTEE ON SMALL BUSINESS JOINTLY WITH COMMITTEE  
1 ON CIVIL SERVICE AND LABOR 4

2 [gavel]

3 CHAIRPERSON CORNEGY: Good afternoon. My  
4 name is Robert Cornegy. I'm the Chair of the  
5 Committee on Small Business. I want to thank my  
6 colleague, the Chair of the Committee on Civil  
7 Service and Labor, Council Member I. Daneek Miller  
8 for joining me in convening this hearing on Intro  
9 1382, a local law to amend the New York City  
10 charter in relation to the reporting of information  
11 on the workforce of contractors performing  
12 construction work for the city of New York. The  
13 purpose of this bill is to pull back the curtain on  
14 the hiring practice of developers that are awarded  
15 multi-million-dollar city contracts but have not  
16 been required to publicly disclose the demographic  
17 of their workforce. As it stands the city charter  
18 requires that the Department of Small Business  
19 Services submit employment reports in such form and  
20 containing such information as the commissioner may  
21 prescribe by contractors to whom agencies propose  
22 to award city contracts and their proposed  
23 subcontractors when such contracts or  
24 subcontractors have a value above a monetary  
25 threshold that the commissioner shall by rule

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2 establish. To this date these reports have not been  
3 made public, therefore the purpose of 1382 is to  
4 require that they are released within 45 days at  
5 the end of each quarter of the fiscal year and  
6 posted online for the general public. It is my hope  
7 that the data FDF has gathered as mandated by the  
8 city charter is sufficient, thorough, and  
9 comprehensive enough to satisfy the many  
10 constituents that have seen buildings in this city  
11 rise but have come to my office with concerns about  
12 workforce that does not represent the diversity  
13 that makes the city so great. As a legislator, I  
14 reserve the right to amend 1382 into a more  
15 comprehensive bill if necessary. I want to  
16 acknowledge my colleagues on a small business  
17 committee who are here. I also want to thank the  
18 many staff who have worked to put this together,  
19 put together this hearing. My Chief of Staff  
20 Stephanie Zimmerman, my Legislative Director Damon  
21 Lipscomb, the committee's Policy Analyst Michael  
22 Kurtz and our Community, Committee Counsel Nicole  
23 Abene. I also want to thank the Committee on Civil  
24 Service and Labor staff for their work pulling this  
25 hearing together. Finally, I would like to thank

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2 the constituents and organizations that have  
3 advocated on behalf of this and many other pieces  
4 of legislation like this. So, at this point I'm  
5 going to ask for my co-chair on this particular  
6 issue, I. Daneek Miller for his opening statement.

7 COUNCIL MEMBER MILLER: Thank you  
8 Council Member. Good afternoon everyone. I'm  
9 Council Member I. Daneek Miller, Chair of the  
10 Committee on Civil Service and Labor Committee.  
11 Today we are holding a joint hearing with the  
12 Committee on Small Business and its chair, its  
13 distinguished chair Robert Cornegy. And on a bill,  
14 Intro 1382, making charter mandated reporting,  
15 small business services, on construction industry  
16 to the public. Small Business Services is supposed  
17 to collect data on city funded projects relating to  
18 employment practices, policy procedures,  
19 statistics, and collective bargaining agreements.  
20 So the public knows that those who are, have been  
21 assigned construction contracts are in complinment  
22 [phonetic], compliance with those agreements. The  
23 construction industry continues to be one of the  
24 city's most important industries, and in educating  
25 the residents on opportunities that will be helping

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2 to bring men and women to, into the middle class  
3 and making sure that we have the workforce that  
4 allows us to grow as a city. But part of being the  
5 world class city is, is about creating  
6 opportunities for all that needs it. By making this  
7 reporting public the transparency it will provide  
8 will help us to ensure that industries remain  
9 strong and support the working families that it  
10 should. When council members work with these  
11 industries to develop projects in their districts  
12 one of the requirements we would like to have is  
13 local hiring MWBE contracting and participation.  
14 The data outlined in the city charter, charter is  
15 meant to help us in ensuring these objectives being  
16 met, to being met. But there are some policies that  
17 could be impeded, that impede us from achieving  
18 these goals. Obviously, some of the restrictions  
19 that we had that are confronted with in contracting  
20 and procurement with MWBEs are these. Based on  
21 these reports organizations such as Demos and  
22 Economic Policy Institute we know the number of  
23 construction workers being misclassified as  
24 independent contractors is on the rise so that they  
25 do not receive the... often do not receive the

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2 benefits that they are entitled to. And the amount  
3 of minorities, African Americans in the trade has  
4 not kept pace with the increased population. So  
5 besides reporting mechanisms I am looking forward  
6 to hearing the testimony from SBS and the advocates  
7 and experts in the industry on other tools in the  
8 city, and the city is using that we can use to  
9 ensure that we have increased participation from  
10 MWBEs, local hires, and ensure labor standards  
11 throughout. I would like to thank my staff of  
12 course. First, I'd like to thank Council Member  
13 Cornegy for convening this hearing. Like to thank  
14 my staff Mr. Gregory Rose and Counsel Matt Carlin.  
15 I'd like to also thank Gofar Zolof [sp?] and  
16 Kendall Stephenson as well and the members of the  
17 Committee on Civil Service and Labor for their  
18 participation. And with that being said... Okay, no  
19 from... We have Council Member of course Cornegy,  
20 Dromm, Constantinides, Koo, Vallone, Menchaca,  
21 Koslowitz, Eugene, King, Williams, and Ulrich. And  
22 that I'd turn it back over to my co-chair.

23 CHAIRPERSON CORNEGY: Thank you Co-  
24 Chair. So, we probably going to dispense with the  
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1  
2 formalities and get right to it after we have the  
3 swearing in of our first panel.

4 COMMITTEE COUNSEL: Can you please raise  
5 your right hand? Do you affirm to tell the truth,  
6 the whole truth, and nothing but the truth in your  
7 testimony today and to answer council member  
8 questions honestly? Thank you.

9 CHAIRPERSON CORNEGY: So, I'm going to  
10 open up with a few questions. And then my co-chair  
11 will offer some questions. And then in the interest  
12 of time we're going to allow for my many colleagues  
13 who have attended the hearing today to ask their  
14 questions as well so... That probably would be a good  
15 idea. I told you I wanted to get right to it. I  
16 apologize it. I guess there is, there is a  
17 formality of an actual testimony.

18 KIMBERLY HARDY: Well we would like to  
19 share the testimony. Thank you so much Mr. Chair.  
20 Good afternoon Chair Cornegy, Chair Miller, and the  
21 members of both committees, the Committee on Small  
22 Business and the Committee on Civil Service and  
23 Labor. My name is Kimberly Hardy. I'm the Deputy  
24 Commissioner for Economic and Financial  
25 Opportunities at New York City's Department of

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2 Small Business Services. This is the division which  
3 supports minority and women owned businesses  
4 generally. I'm joined today by SBS's general  
5 counsel, Andrew Schwartz as well as Ashley Putnam,  
6 who is an advisor at the Mayor's Office of  
7 Workforce Development. At SBS we are connecting New  
8 Yorkers to good jobs, creating stronger businesses  
9 and fostering thriving neighborhoods. Today I am  
10 pleased to testify on Intro 1382 which would  
11 require SBS to report information on the workforce  
12 of contractors performing construction work for New  
13 York City. At SBS we believe in the power of  
14 inclusion and diversity. And under the leadership  
15 of Mayor Bill de Blasio as well as Commissioner  
16 Greg Bishop we have committed to ensuring that all  
17 New Yorkers have access to financial opportunities.  
18 The SBS Division of Labor Services which I oversee  
19 monitors a contractor's compliance with equal  
20 employment opportunity laws and supports them in  
21 their efforts to increase representation of  
22 minorities and women in their workforce. To achieve  
23 this goal certain city, certain city construction  
24 contractors and subcontractors are required to  
25 submit employment reports to the division of labor

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2 services. The employment report contains  
3 information on the contractor's employment  
4 practices, policies, and procedures and collective  
5 bargaining agreements. However, not all contracts  
6 with the city are subject to these requirements.  
7 Construction, prime contractors in excess of one  
8 million dollars in subcontracts in excess of  
9 750,000 dollars are subject to review. For supply  
10 and service contracts prime and subcontracts over  
11 100,0000 dollars are subject to review when the  
12 vendor has more than 50 employees. SBS meets with  
13 contractors and works with them to ensure that they  
14 understand the equal employment requirements of New  
15 York City and to ensure their compliance. Reviews  
16 sometimes results in contractors having to make  
17 changes to their EEO policy or to determine if they  
18 will proceed with the contract. SBS provides the  
19 company with a certification letter which advises  
20 the contracting agency that the vendor can move  
21 forward on the project. If the employment report  
22 does not meet our standards an incomplete letter is  
23 issued to the vendor and the contracting agency  
24 advising of issues with the employment reports.  
25 Through this process SBS will make every effort to

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2 work with companies to resolve noted compliance  
3 issues. If approved companies are certified by SBS  
4 for a three-year period it should be noted that  
5 companies can also be certified upon submission of  
6 a certificate of equal employment opportunity  
7 compliance issued by an appropriate state, New York  
8 state or federal agency in the prior 12 months.  
9 Ensuring contractors are EEO compliant is an  
10 important part of our work. We are also focused on  
11 ensuring workforce diversity. SBS working with  
12 partner agencies and the city council has made  
13 great strides through a comprehensive approach to  
14 this issue. First SBS leverages its network of 20  
15 workforce career centers by advising city  
16 contractors of the various ways job candidates can  
17 be found through our workforce system. Last year  
18 SBS's network of providers connected nearly 30,000  
19 New Yorkers to employment. Second, through the Hire  
20 NYC portal city contractors who've received city  
21 subsidies are now required to consider New Yorkers  
22 for employment opportunities created through  
23 eligible city contracts. Hire NYC is one of the  
24 largest targeted hiring programs in this nation. It  
25 will also leverage SBS's network of workforce one

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2 career centers to connect New Yorkers to open  
3 positions created through the city's purchases and  
4 investments. Through Hire NYC and the workforce  
5 career center system we were making sure that more  
6 New Yorkers have a first shot at jobs related to  
7 city projects and that employers have access to an  
8 expanded pool of talent from the local community.  
9 To tackle the issue of workforce, diversity in the  
10 field of construction SBS recently launched the  
11 construction industry partnership. It's called the  
12 mayor's committee on construction workforce and  
13 contracting opportunities, industry partnerships,  
14 work with industry, organized labor, nonprofits,  
15 training providers, private philanthropy, and  
16 workforce organizations to build a pipeline of  
17 local talent to fill these New York City  
18 construction jobs. The mayor's committee on  
19 construction workforce and contracting  
20 opportunities met last November and outlined three  
21 goals. They are workforce, MWBE capacity building,  
22 and safety. On the issue of workforce, the  
23 committee will focus on diversity, access, and  
24 advancement opportunities for women and minorities  
25 in the traits. Through this holistic approach, we

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2 feel that we are taking substantial steps to ensure  
3 diversity throughout the workforce on city projects  
4 and increase opportunities for minorities, women,  
5 and veterans to access construction apprenticeship  
6 programs that can provide a career path. Along with  
7 this work SBS had made, has made great progress in  
8 supporting our minority and women owned businesses  
9 to grow and thrive for so many individuals owning a  
10 business can provide a path... a pathway to the  
11 middle class and beyond and we are working hard to  
12 ensure that minority and women owned businesses  
13 have access to those opportunities. Recently Mayor  
14 De Blasio set an ambitious goal of awarding at  
15 least 30 percent of the dollar amount of city  
16 contracts to MWBEs by 2021 and doubling the number  
17 of certified firms by 2019. SBS will support this  
18 work through increased capacity building resources  
19 for MWBEs as well as through increased outreach to  
20 businesses to certify as MWBEs. And as I hope you  
21 know we are certainly interested in working with  
22 the council with regard to increasing outreach to  
23 businesses to certify as MWBEs. These efforts will  
24 also help ensure that minority and women owned  
25 construction firms have an opportunity to

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2 participate in these projects. Along with this our  
3 pre-award construction meetings with contractors  
4 provide a critical opportunity to review  
5 contractors plans for subcontracting work and  
6 identifying certified MWBEs that are available to  
7 help on these projects. We feel that through our  
8 ongoing work with Hire NYC the mayor's committee on  
9 construction workforce and contracting  
10 opportunities and the MWBE program. SBS has a  
11 holistic approach increasing opportunities through  
12 city contracts. We are also committed to a strong..  
13 excuse me... we are also committed to strong  
14 workforce practices for all city funded projects.  
15 This bill would require aggregated reporting from  
16 the employment reports that we collect. We do think  
17 there could be a usefulness in this reporting and  
18 support the intent of this bill. We would like to  
19 discuss further with the council which information  
20 would be most useful in these reports for the  
21 council's purposes and how the information  
22 gathering could be practically implemented. We are  
23 happy to answer any questions that you have. Thank  
24 you.

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CHAIRPERSON CORNEGY: Thank you so much.

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So, as I stated before we'd like to get right to

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this. And I guess I have some basic questions for

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context. Can you tell me the amount, the, the

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actual number of contract awards in 2016. This is

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for the purpose of context.

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KIMBERLY HARDY: The actual amount of

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contract awards again just to distinguish between

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the, the citywide awards and then there is a subset

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that our Division of Labor services actually

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reviews so we reviewed about 24 hundred employment

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reports. So, that would mean 24 hundred contracts.

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CHAIRPERSON CORNEGY: What was the

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actual number on that? Was it 200 million in

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awards?

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KIMBERLY HARDY: We don't have the

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actual number but we'll be... we'll be happy to get

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that information for you.

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CHAIRPERSON CORNEGY: So, so for me

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that's important for context. So, what we do know

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is that the construction industry and its

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relationship to contracts in the city of New York

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have provided a very solid pathway to the middle

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class for citizens in this city. Right? That's,



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2 that's... We know that to be a fact which is why we  
3 need to know exactly who's benefiting from that and  
4 this demographic information is important. Again, I  
5 asked you these preliminary questions are just for  
6 context as to why the bill... you know why we're  
7 asking for this bill. So, we believe that again  
8 through good jobs that's a pathway to the middle  
9 class in, in this.

10 KIMBERLY HARDY: Mr. Chair if I could  
11 just provide you with the total construction  
12 contracts as reported by the agency procurement  
13 indicators that there were 9,087 contracts valued  
14 at approximately 2.5 billion dollars in fiscal year  
15 '16.

16 CHAIRPERSON CORNEGY: Right. So, that's,  
17 that's a, a very large number. And to my point you  
18 know someone is benefiting from that tremendously.  
19 We'd like to make sure that that's representative  
20 of the city as a whole which is, which is really  
21 the context for this bill. So, let me just move on.  
22 Can you explain the data currently being gathered  
23 on the workforce of contracts, on the workforce of  
24 contractors performing construction work for the  
25 city? Currently what data do you collect?

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2 KIMBERLY HARDY: Sure. I'd be happy to  
3 address that. In the employment reports we collect  
4 data obviously identifying the vendor's name,  
5 address, the EIN number, MWBE status, union  
6 affiliation, whether it's a prime or a sub, the  
7 contracting agency, the contract amount, the  
8 anticipated start... construction start date and  
9 completion date, a description of the work to  
10 occur, the employment practices including health  
11 benefits, disability, life insurance, equal  
12 opportunity manual, the projected workforce is also  
13 collected.

14 CHAIRPERSON CORNEGY: So, is there a  
15 difference between projected workforce and actual  
16 workforce?

17 KIMBERLY HARDY: There is. The projected  
18 workforce that we receive is prior to the start of  
19 the construction project. The EEO report is really  
20 part of the procurement process. So, before the  
21 award is finalized a contracting agency will look  
22 for a sign off from SBS that the contractor has  
23 submitted the employment report and that we have  
24 assured that they have equal opportunity practices  
25 and policies in place.

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2 CHAIRPERSON CORNEGY: In the unlikely  
3 event that there is a disparity between those two  
4 reports what transpires? So, somebody reports. They  
5 have a projected...

6 KIMBERLY HARDY: Yes...

7 CHAIRPERSON CORNEGY: ...and then halfway  
8 through or whatever the process is I don't know  
9 whether it's halfway through or quarter way through  
10 you do the, the other review...

11 KIMBERLY HARDY: ...well with...

12 CHAIRPERSON CORNEGY: ...traditionally  
13 what happens?

14 KIMBERLY HARDY: With regard to the  
15 employment report it really ends during the  
16 procurement process, after the award labor services  
17 would not actually receive data on the actuals.

18 CHAIRPERSON CORNEGY: So, if I'm not  
19 mistaken in your description of what you collect  
20 now is not necessarily the demographic data that  
21 this report is asking for, correct?

22 KIMBERLY HARDY: It's the projected  
23 demographic data but as you have pointed out it's,  
24 it's not the actual after the project has  
25 commenced.

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2 CHAIRPERSON CORNEGY: So, so preliminary  
3 I could assert that if there were, if there were a  
4 follow up there may be some companies, which I'm  
5 saying this anecdotally but we...

6 KIMBERLY HARDY: Yes.

7 CHAIRPERSON CORNEGY: ...know that it's  
8 true, who are not meeting what their projection is.  
9 Are there penalties for a company who, who, who  
10 does that whether it's intentional or whatever, is  
11 there, is there a penalty for a company that is, is  
12 fraudulent in their information.

13 KIMBERLY HARDY: Well currently with  
14 regard to the employment reports the contractor's  
15 principal does sign a sheet affirming that what is  
16 in the employment report is true. And it could be  
17 subject to criminal or civil penalties.

18 CHAIRPERSON CORNEGY: I hate to keep  
19 asking but... but has that been the case. Has it been  
20 the case that you determine that someone has not  
21 met what their projected employment information or  
22 data was and if that is true what, what was, what  
23 were the penalties if any?

24 KIMBERLY HARDY: I... the... well I... I do  
25 hear your question sir and I, I think the answer is

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2 that, that we are looking at the employment report  
3 at a point in time prior to the start of the  
4 construction project. And so, they are projections.  
5 We're actually not reviewing it once the project is  
6 underway. I, I hope that helps.

7 CHAIRPERSON CORNEGY: I mean it answers  
8 it but it makes it a little bit harder for me to go  
9 on because there's an obvious gap there. So, if  
10 you, if you don't review it to make sure that  
11 obviously, they're meeting their projections then  
12 how do we know that...

13 KIMBERLY HARDY: Well I... You know...

14 CHAIRPERSON CORNEGY: Like that's a...

15 KIMBERLY HARDY: I guess I would just  
16 step back. As I said I... we certainly believed that  
17 the intent of the bill that there is a usefulness  
18 to understand the data moving forward and we would  
19 be very happy to continue discussions on how we can  
20 get to the information that the council, council  
21 would need to see.

22 CHAIRPERSON CORNEGY: So, I'm going to  
23 dispel this line of questioning because at the risk  
24 of beating a dead horse... not that I advocate for  
25 the beating of any animals, especially horses...

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KIMBERLY HARDY: Yes, understood.

CHAIRPERSON CORNEGY: I, I, I want my  
colleagues who are here and who've sacrificed their  
time to be at this hearing to be able to also have  
input. So, at this point I'll come back to my  
questioning and I'll ask my, my co-chair to add  
any...

COUNCIL MEMBER MILLER: Thank you Mr.  
Chair. I'd also like to acknowledge that we've been  
joined by Council Member Crowley of the Committee  
on Civil Service and Labor. Good afternoon. So, I,  
I kind of want to add on to what Council Member  
Corney has said without kind of covering that same  
ground. Although we... I think we have a specific  
objective here which is to figure out whether or  
not we're achieving our goals and reaching our  
target audience and creating opportunity of  
employment and economic stability. And we want to  
see if this legislation or reporting, how it could  
best be used and what tools are, what other tools  
are available in the city's tool box to ensure the  
oversight that we are reaching that target audience  
as well as providing opportunity to those who are  
looking for such. And We did briefly mention some

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2 of the impediments and restrictions that are  
3 incurred through procurement process of the MWBEs  
4 which are the natural employers of these folks that  
5 we are looking to bring into the fold. So in lieu  
6 of that we want to deal with some of these 9,000  
7 contracts that have been procured, right? How much  
8 overlap is in those 9,000 contracts?

9 KIMBERLY HARDY: For... I'm sorry Sir, the  
10 overlap we could, we could maybe get back to you on  
11 the number in terms of the number of MWBEs that  
12 have been awarded?

13 COUNCIL MEMBER MILLER: No. How many...  
14 you said there were 9,000 contracts...

15 KIMBERLY HARDY: Total and that...

16 COUNCIL MEMBER MILLER: Total, yes.

17 KIMBERLY HARDY: And...

18 COUNCIL MEMBER MILLER: How many... How  
19 much overlap are in those? Do you know?

20 KIMBERLY HARDY: Same vendor, I don't  
21 know at this time but we can check with MOCS and,  
22 and get back to you with that information.

23 COUNCIL MEMBER MILLER: Do you have a  
24 list of the top 10, 25, 50 companies, head of  
25 procuring and construction in the city?

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2 KIMBERLY HARDY: Yeah. It would be in  
3 the indicator's report. We would be pleased to get  
4 that to you. I don't have it at this time.

5 COUNCIL MEMBER MILLER: And that report  
6 would also... so because what I would like to... do, do  
7 you know who the top five firms are?

8 KIMBERLY HARDY: We do... we do not know  
9 who the top firms are, the top five firms are... But  
10 again, we will be...

11 COUNCIL MEMBER MILLER: We'll... we're  
12 staying with...

13 KIMBERLY HARDY: Happy to gather that  
14 information and, and, and share it with you.

15 COUNCIL MEMBER MILLER: Staying With  
16 that line of questioning do you, do you know of  
17 those top firms what percentage of that 2.5 billion  
18 that you mentioned goes to them? Right. So, if the  
19 top percentage, so the top five companies, how much  
20 of that budget is... so we know... we already know that  
21 the money is spent on larger contracts, the bulk of  
22 the money is spent on larger contracts, the bulk of  
23 the money is spent on larger contracts. I want to  
24 know in keeping with the council member's question  
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do you know what percentage goes to the top 10 firms?

KIMBERLY HARDY: We, we would be happy to get back to you and get those numbers from the Mayor's Office of Contracts, yep.

COUNCIL MEMBER MILLER: Yep. Thank you and, and so when you do so we want, we have some obviously general questions that we want to be, to ask each contractor but we specifically want to know about those, the major plays in the industry so that I think what we want to drill down on is the contracts, the locations throughout the city, those communities, and ultimately whether or not the workforce represents and reflects the demographics of those communities. How do we... what are the, what are the breakdowns of those companies, what are the breakdowns of those companies in, in particular in terms of gender, in terms of ethnicity, in terms of age and, and things of that nature there. So obviously, that's what the report is we're hoping to accomplish. But I, I did hear Chair Cornegy ask of all the data that is currently collected what information do we have. So, do you know what percentage of the contractors

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are, have collective bargaining agreements with  
their workforce?

KIMBERLY HARDY: We will have to get  
back to you on, on that question as well in terms  
of the..

COUNCIL MEMBER MILLER: Okay. Do you  
know how much... what is the percentage of organized  
or union labor within these contracts?

KIMBERLY HARDY: Yeah, do you want to..

ANDREW SCHWARTZ: Sorry I... Yeah, a  
number of these questions we, we hear and our staff  
is taking down those questions and we will get back  
to you. And I think some of this information as  
Deputy Commissioner indicated is in the Mayor's  
Office of Contract Procurement indicated. But I, I  
would be guessing but I think in these largest ones  
are likely all unionized with collective  
bargaining..

COUNCIL MEMBER MILLER: I would hate to..  
to speculate just based on, on, on the visuals of  
what we see when, you know as we drive through our  
communities. You know it'd, it'd be difficult to  
tell. And then obviously, the quality of work and,  
and what you, what you're getting is, is a

1  
2 concerned as well. So, and, and before I, I pass it  
3 onto my colleagues I have one further... we do keep  
4 data, safety data as well right? We keep safety  
5 data; accidents, workforce safety?

6 KIMBERLY HARDY: I believe the  
7 Department of Buildings keeps that information Sir.  
8 So, the city does keep that information.

9 COUNCIL MEMBER MILLER: There, but there  
10 is a collaboration within the departments on  
11 workplace safety, right? Is, is there... in, in as  
12 part of the RFP and the procurement process is  
13 there a box to check or is there a, a... is there  
14 information about workplace history, a safety  
15 history for these companies?

16 KIMBERLY HARDY: In, in some cases I  
17 believe there, there, there is something regarding  
18 workplace safety. And certainly, the Department of  
19 Buildings keeps those records. And we would be  
20 pleased to check in if you want to cross reference  
21 the other contract that you asked us about.

22 COUNCIL MEMBER MILLER: So, so... yeah.  
23 So, we have tons of questions and, and I'm, I'm  
24 going to forego... And I'm going to pass it over to  
25 Council Member King. So, thank you for your...

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KIMBERLY HARDY: Yeah, I'm just going to interject really quick Council Member. The recently launched mentioned the industry partnership on construction. The mayor's committee on construction workforce and contracting opportunities. One of their three objectives is looking at safety. So again, the city of New York is very committed to one of the things we consider important in job quality is the safety of our workforce. So, that is something that we're going to continue to be looking at as that industry partnership and round table convene.

COUNCIL MEMBER KING: Thank you Mr. Chair and Mr. Chair. I have like one or two questions. And I'm, I'm not trying to be insulting at all. I know due over the holiday break I worked. But the holiday is over. And I find it kind of disrespect to the committee that we're having a conversation about dating and you're answering like two percent of the questions like we have no answers. I don't get that. You know we all here investing our time to figure out how do we make sure that we do right by the city of New York when it comes to our businesses and on, the best thing

1  
2 you can do is come prepared and give us some  
3 answers, that we got to stop asking questions  
4 because we're not even getting any answers to  
5 questions. But I'm, I'm going to jump into your  
6 testimony here in regards, comes to MWBEs because I  
7 do have some concerns when it comes to MWBEs  
8 because I've watched women and I know it was  
9 designed for minorities, but a lot of times I see  
10 it's... you know the women get contracts and then the  
11 women are not of minority and the Caucasian male  
12 still is able to tap into the, those monies. So my  
13 question to you when you said 30 percent in your  
14 testimony, 30 percent... I like to know what is the  
15 breakdown of women and people of color who are  
16 getting part of that 30 percent. Because you still  
17 can come back to me and, and say you know even that  
18 we get 30 percent but 25 percent are Caucasian  
19 women that means five percent still going only to  
20 people of color. So, I mean still something wrong  
21 with that whole system, could you have those  
22 numbers?

23 KIMBERLY HARDY: I don't have them  
24 readily available but I'll give you the breakdown.  
25 The 30 percent of the goal for 2021 I would say

1  
2 with regard to MWBE generally that under the  
3 mayor's administration it's, it's contracting to  
4 MWBEs has approximately doubled to almost 16  
5 percent for fiscal year '16. But we'll, we'll give  
6 you the breakdown of the demographics of how that  
7 works out across the, the various ethnic groups and  
8 the women breakdown...

9 COUNCIL MEMBER KING: My next question  
10 be... what do you do to ensure that these contracts  
11 end up getting... I hate using the term minority, I'm  
12 just...

13 KIMBERLY HARDY: Sure.

14 COUNCIL MEMBER KING: ...people of color...

15 KIMBERLY HARDY: Sure.

16 COUNCIL MEMBER KING: ...that are actually  
17 getting a large percentage of these contracts. I  
18 know what the procurement process and... some people  
19 not being able to get to it because they just don't  
20 have capacity to deal with the billions of dollars  
21 that are on the table. But what are we doing right  
22 now to allow them to grow so they can compete.

23 KIMBERLY HARDY: Right. That's a great,  
24 that's a great question council member. Thanks for  
25 asking that. At SBS we really have undertaken a

1  
2 number of capacity building programs and it starts  
3 from just one on one technical assistance that our  
4 staff and, and some consultants that are experts in  
5 the field who'll work with MWBE companies to review  
6 bids with them before they submit them, to help map  
7 out a strategy on whether they provide goods or  
8 services in which agencies they should target. We  
9 also have more long term services where we have  
10 mentorship programs in the construction industry.  
11 We recently launched mentorship program, the first  
12 of its kind from goods and services that launched  
13 back in November. We have a bond readiness program  
14 to help assist companies with becoming ready to, to  
15 get a bond as we know that's typically one of the  
16 major issues that construction companies are  
17 smaller generally encounter. And, and we're really  
18 thinking of new ways to, to help more MWBEs.

19 COUNCIL MEMBER KING: And you'll be able  
20 to report this data of what you've been able to  
21 accomplish and how it's moving forward and not  
22 saying all because this X amount percentage wasn't  
23 able to be successful we just didn't try to move  
24 them along, get a new group to get more of that  
25 funding.

1  
2 KIMBERLY HARDY: That's certainly our  
3 goal sir, to have...

4 COUNCIL MEMBER KING: Okay.

5 KIMBERLY HARDY: ...measurable  
6 accountability that we can report our successes in  
7 that regard.

8 COUNCIL MEMBER KING: Okay. I'm going to  
9 wrap up but, but I do have one final question when  
10 it comes to your data and tracking those who get  
11 these contracts, the, the developers or even some  
12 of the unions. I know we have these community  
13 agreements that you got to hire from the community.  
14 So often when I see construction sites I'm looking  
15 at construction sites that don't reflect the  
16 community. How do you change that, how are you  
17 tracking that data? How are you ensuring if you're  
18 going into Bed-Stuy that they look like people who  
19 live in Bed-Stuy, not looking like they coming from  
20 Lodi, New Jersey. How do you make sure that this is  
21 what you say it is? Because when I'm... I'm here, I'm  
22 hearing a whole other game that's being played and  
23 the data should be able to reflect, and that means  
24 having real data. I mean it's got come and be able  
25 to answer real questions. Small business and labor



1  
2 can't have a committee... have a hearing here and you  
3 can't come and give us real conversation because  
4 that's how we can have real conversation, you bring  
5 us the real data. So, what's the plan? How were you  
6 going to get there? And how are we going to make  
7 sure that communities of color are represented when  
8 these contracts are?

9           KIMBERLY HARDY: Right. Well a couple of  
10 things. First, let us say we are... we certainly are  
11 in agreement that we want to promote more diversity  
12 particularly in the construction industry. And we  
13 have a number of initiatives underway that Ashley  
14 will say. But we're... with regard to our data  
15 collection it's also something we're working on at  
16 SBS to have more data readily available. We  
17 probably need some additional resources, more  
18 technology, so that we can have the numbers that  
19 we, we need. And again, we were... be pleased to  
20 speak with the council to discuss some of the ideas  
21 that we have internally so we can provide more  
22 data. But Ashley's going to just turn to some of  
23 the discussion with regard to the industry  
24 partnerships that we're working on.

1  
2           ASHLEY PUTNAM: Yeah and this is... this  
3 is... thank you very much for the question. And we  
4 are absolutely... you know this administration is  
5 very committed to ensuring that city funded  
6 projects are providing good quality jobs for New  
7 Yorkers. That was our career pathways agenda,  
8 something we're really deeply committed to at the  
9 Mayor's Office of Workforce Development. We know  
10 again that these are fantastic jobs with good  
11 quality wages, good supports, and that really do  
12 lift up families and communities. So, the Hire NYC  
13 program is really doing that. It's placing New  
14 Yorkers at the front of the line for jobs that are  
15 created by our city contracts and our investments.  
16 We also met our local hire goal. Oh yeah. So, I  
17 think a couple of the things we've done, this  
18 industry partnership which is really looking at the  
19 diversity and access and retention within the  
20 construction industry is one of them. We also have  
21 project labor agreements and I'm happy to talk a  
22 little bit more about those but those are things  
23 that the mayor's really been committed to under  
24 this administration. We upped the requirement to 55  
25 percent of all new apprentices coming into the

1  
2 trades are coming from direct entry programs such  
3 as new construction skills. So, we've seen some  
4 great strides as we continue to work on increasing  
5 diversity. And we know that this is something we've  
6 been really committed to in our office particularly  
7 using Hire NYC to, to accomplish that. So, happy to  
8 answer more questions on that.

9 CHAIRPERSON CORNEGY: Before you go on I  
10 just want to interject. So, you, you, you talked a  
11 lot about goals, and how important goals are.. I  
12 just don't know how we even get to understanding  
13 or, or meeting any goals if we don't have the  
14 correct demographical information. Like it does, it  
15 just doesn't... you know it doesn't, it doesn't make  
16 sense to me. It's really hard to say that we've  
17 reached or failed at a goal if we, if we haven't,  
18 we don't even have the correct data to measure  
19 where we are in these goals. Like I go back to the..  
20 the written... like we can, we can be here all  
21 afternoon about what we should do. But if we don't  
22 have the correct data you're... have... you're skewed  
23 on what your results are all day. So, while I  
24 respect that you understand that there is some  
25 value in this and I hate the term the devil's in

1  
2 the details but this is a good example of why that..  
3 that saying probably even came about because while  
4 we look at goals we're, we're looking at these  
5 goals for a particular thing when we're not  
6 demanding another thing from our workforce. So,  
7 we're granting billions, literally billions of  
8 dollars in contracts and not holding people  
9 accountable. And there's no way you can hold them  
10 accountable with the system being what it is. So,  
11 this really is to have us backup 1,000 feet and  
12 make sure that we can get the demographic data  
13 necessary to see who these company... whose... who  
14 these companies are comprised of and if they're  
15 meeting their goals. If we don't do that then we're  
16 going to have this hearing over and over and over.  
17 And I don't want to do that. I don't want to have  
18 redundant hearings. So, I have to go back to the,  
19 the reason that we're here. Because we're going to  
20 go off on a tangent because there are so many  
21 things that can be corrected as it relates to  
22 parody in employment especially with city contracts  
23 right. And I don't want to spend the afternoon  
24 doing that so I have to refocus us back while we're  
25 here. I don't believe that we'll have the, you'll

1  
2 get the questions that you're getting. I don't  
3 believe... This is anecdotal, but I don't believe  
4 we'll get those questions if we have the right data  
5 up front.

6 COUNCIL MEMBER KING: All I'll just...  
7 I'll end with this Mr. Chair. Maybe you can come  
8 back and present us a real plan of what are the  
9 challenges that you're having so you can get the  
10 real data so we can have a real hearing and we can  
11 get some real answers. I thank you for your time.  
12 Thank you Mr. Chair. Thank you Deputy Commissioner.

13 CHAIRPERSON CORNEGY: Thank, thank you  
14 Council Member. Now I... what I do hope is that  
15 someone is taking notes because we asked a lot of  
16 things for you to come back with. And unlike other  
17 times not, not with you where we've said this and  
18 we didn't get anything back and, and 75 percent of  
19 what we're asking for would make this hearing go  
20 smoother. So, I agree with Council Member King. He  
21 made valid points. It's very difficult for us to  
22 conduct a hearing that makes any sense if, if  
23 you're not prepared to respond to the questions  
24 that we have. We have next Council Member Crowley.

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COUNCIL MEMBER CROWLEY: Thank you. Good afternoon. Thank you to both our co-chairs for having this important hearing. I have a, a few questions. Before I heard some numbers as to the percentage of MWBE contracting that happens in the city. And how the mayor's been able to double that and how there is a goal for 30 percent in 20, 21. So I heard some numbers. A lot of numbers were flying around. Nine billion in contracts? Is that right? Is that the total amount of construction contracts or, or all together contracts?

KIMBERLY HARDY: 2.5 billion in construction contracts in fiscal year '16.

[background comments]

KIMBERLY HARDY: 9,000 contracts, that's correct, yeah.

[background comments]

KIMBERLY HARDY: Yes.

COUNCIL MEMBER CROWLEY: So, so the city only had 2.5 in total construction contracts?

KIMBERLY HARDY: Contracts that were registered in Fiscal year 16.

COUNCIL MEMBER CROWLEY: And can you just say what agencies they are?

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2 KIMBERLY HARDY: I can, I can give you  
3 several of the agencies. And again I'm, I'm reading  
4 from the procurement indicators report that was  
5 issued. So, it's DCAS, DDC, DEP, DHS, DOC, sorry  
6 for the acronym... DOT, DPR, DSNY, FDNY, HPD, NYPD,  
7 and then there's an aggregate here for all the  
8 other construction and from other agencies.

9 COUNCIL MEMBER CROWLEY: So, the 2.5  
10 billion, is that just MWBE or that's all the  
11 contracts in the... agencies?

12 KIMBERLY HARDY: I'm sorry, that was for  
13 all of the contracts.

14 COUNCIL MEMBER CROWLEY: It seems like...

15 KIMBERLY HARDY: That's the...

16 COUNCIL MEMBER CROWLEY: ...a small  
17 number.

18 KIMBERLY HARDY: Yeah... it will...

19 COUNCIL MEMBER CROWLEY: 2.5 billion?

20 KIMBERLY HARDY: What... This table  
21 represents newly registered construction contracts,  
22 the apprenticeship and, and PLA agreements.

23 COUNCIL MEMBER CROWLEY: Oh so it's just  
24 a fraction of the contracts. That's just the ones  
25 that have PLAs?

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KIMBERLY HARDY: Yes.

COUNCIL MEMBER CROWLEY: So, what is the total amount that the city contracts in construction with all those agencies... each year?

KIMBERLY HARDY: In fiscal year 2016 the top five agencies registered over 17,961 contract awards. Those are not all construction but they were valued... again it was just the five agencies at 4.2 billion dollars.

COUNCIL MEMBER CROWLEY: So, it, it's hard to have a hearing and measure progress if we're not looking at accurate numbers. It seems as if when you put out that 2.5 billion it's, it's some type of fraction where you may have a greater success for MWBEs. Because when I hear you say 16 percent I've never seen that number in construction contracts from the city. Now, I believe your intent is to be at that number or be beyond that number but what is the realistic number?

KIMBERLY HARDY: The number of the percentage of MWBE... of... the percentage of contracts that went to MWBEs this year is approximately 16 percent in fiscal year 16.



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2 COUNCIL MEMBER CROWLEY: Show me where  
3 that is. Show me your data, your report.

4 KIMBERLY HARDY: I... I will be... I'll be  
5 happy to... to share that with you.

6 COUNCIL MEMBER CROWLEY: And you're  
7 counting that as 2.5 billion?

8 KIMBERLY HARDY: Not out of the 2.5.  
9 What the overall... the overall contracts that were  
10 subject to 1NYC.

11 COUNCIL MEMBER CROWLEY: Just the ones  
12 that are subject to 1NYC.

13 KIMBERLY HARDY: Yes.

14 COUNCIL MEMBER CROWLEY: And how much  
15 money is that?

16 KIMBERLY HARDY: I don't have the exact  
17 figure with me today. But I... we'll... we'll be happy  
18 to report that back to you.

19 COUNCIL MEMBER CROWLEY: We had a  
20 hearing in December on MWBEs.

21 KIMBERLY HARDY: Yes.

22 COUNCIL MEMBER CROWLEY: And it was even  
23 difficult to get the number in that hearing, wasn't  
24 straight forward. When you look at all the  
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1  
2 contracting in the city it's closer to six percent.  
3 It's not even at six percent.

4 KIMBERLY HARDY: The numbers that were  
5 provided in the hearing Council Member, for the  
6 accounting that the Mayor's Office of Contracts  
7 does, the numbers are approximately, the percentage  
8 is approximately 16 percent. But I'll be... we'll be  
9 happy to provide you with, with that information,  
10 that was discussed at the hearing back in I think  
11 December 8<sup>th</sup>.

12 COUNCIL MEMBER CROWLEY: Right, well I,  
13 I think that what is probably the truth about your  
14 numbers is that it's just out of that 2.5 billion.  
15 And in those 2.5 billion dollars where monies  
16 allocated to a project labor agreements or some  
17 type of community benefit agreement where you had  
18 to produce MWBE goals. It would be good for the  
19 administration to do that, to put those types of  
20 goals into every contracting dollar that goes  
21 towards construction. And then you will get to 30  
22 percent or somewhere near 16 percent. But the truth  
23 of the matter is the city is nowhere near that  
24 today. And it's not fair to this committee or to  
25 this council or to the city to play with numbers

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2 and not be honest and straight forward. So, to the,  
3 to the two bills that are being heard today do you  
4 know any policies that are put forth by the  
5 companies that get the work from the city to make  
6 sure that they're following equal opportunities,  
7 employment equal opportunities?

8 KIMBERLY HARDY: Yes, Council Member.  
9 With regard to the Equal Opportunity practices of  
10 the contractors that come before the Division of  
11 Labor Services we reviewed their written equal  
12 opportunity practices along with other practices to  
13 ensure that they meet those, those requirements for  
14 equal opportunity and their employment.

15 COUNCIL MEMBER CROWLEY: But again, that  
16 is just the ones that come before this special  
17 subdivision of the small business services  
18 administration that you call labor, labor services.

19 KIMBERLY HARDY: That's correct.

20 COUNCIL MEMBER CROWLEY: But it's not  
21 every single contract.

22 KIMBERLY HARDY: That's correct Ma'am.

23 COUNCIL MEMBER CROWLEY: Okay, well why  
24 doesn't the city have that practice for every  
25 single contract?

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2 KIMBERLY HARDY: Well there are certain,  
3 there are certain thresholds. And the, the  
4 threshold is currently a million dollars for prime  
5 contractors. And 750,000 dollars for  
6 subcontractors. And again, that's with regard to  
7 construction and for goods and services the  
8 threshold is 100,000 dollars.

9 COUNCIL MEMBER CROWLEY: So, are these  
10 companies supposed to support, report to you, the  
11 demographics of the company? How many women, how  
12 many minorities are working?

13 KIMBERLY HARDY: Yes...

14 COUNCIL MEMBER CROWLEY: So, you have  
15 that...

16 KIMBERLY HARDY: ...in terms of...

17 COUNCIL MEMBER CROWLEY: ...information?

18 KIMBERLY HARDY: In terms of pre-award  
19 which are projected.

20 COUNCIL MEMBER CROWLEY: And did the  
21 committee get that information today?

22 KIMBERLY HARDY: We, we, we... we have to,  
23 we have to do better with the data that we have,  
24 because these are important issues that you're  
25 raising and certainly we are in full agreement of...

1  
2 and want to promote diversity. So, we have to..  
3 we've been working on improving some of our  
4 technologies so that we can provide this  
5 information in, in a more reasonable time period.  
6 Currently now it's...

7 COUNCIL MEMBER CROWLEY: Right. It's my  
8 understanding...

9 KIMBERLY HARDY: Sorry.

10 COUNCIL MEMBER CROWLEY: ...that the  
11 council passed a law, a local law 1 of 2013 that  
12 required the report, reporting to the council and  
13 to the mayor by your agency for those contracts and  
14 understanding the diversity of the workforce as  
15 well as the diversity of the leadership of those  
16 companies.

17 KIMBERLY HARDY: Sure. For local law 1  
18 there, there... our report... most recently we just  
19 submitted the compliance numbers for MWBE  
20 compliance. I'm sorry I thought when you... when I  
21 was answering your question before I thought you  
22 were referring to the EEO reports. But for MWBE  
23 compliance you're absolutely right.

24 COUNCIL MEMBER CROWLEY: Right.  
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KIMBERLY HARDY: We, we submit the reports on a quarterly basis to council.

COUNCIL MEMBER CROWLEY: In those reports, do they ask for the demographics of the entire workforce?

KIMBERLY HARDY: I believe in the compliance reports that are submitted for Local Law 1 we do not include demographics on the workforce but in the employment, reports we, we do ask for demographics for the workforce.

COUNCIL MEMBER CROWLEY: But this... these demographics you already have. You just don't have them at your fingertips?

KIMBERLY HARDY: For... Yes, the projections we do have.

COUNCIL MEMBER CROWLEY: For the workforce? For the...

KIMBERLY HARDY: Yes.

COUNCIL MEMBER CROWLEY: ...entire workforce?

KIMBERLY HARDY: Yes.

COUNCIL MEMBER CROWLEY: Okay, thank you. No further questions.

KIMBERLY HARDY: Thank you.

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2 CHAIRPERSON CORNEGY: So, that was  
3 painful. It's, it's frustrating. So, I know it's  
4 frustrating for you to have to answer these  
5 questions you have to imagine how frustrating it is  
6 for those who represent communities who have been  
7 disproportionately affected by bad policy across  
8 the board. So, I don't think it's myself or any of  
9 my colleagues' intention to make this painful. But  
10 it is what it is. And we have to get to the bottom  
11 of this so that we can really begin to do what the  
12 mayor's mandate is and what the agency's mandates  
13 are which is to meet, meet those numbers. But we  
14 can't do it without the correct reporting from,  
15 from the beginning. Carlos Menchaca.

16 COUNCIL MEMBER MENCHACA: Thank you  
17 Chairs. And I'm... we're, we're here to try to figure  
18 out how, how to get to a better place. And for the  
19 reasons that we're tripping through right now we're  
20 in a... we're in the middle of a legislative process  
21 as well. So, we have a bill that we can make  
22 better. Help us do that. And so I'm hoping that in  
23 the questions not only are you answering questions  
24 but really kind of point to ways that we can help  
25 with some, with some legal enforcement through law,

1  
2 help you craft a better reporting mechanism. And  
3 some... we're going to offer that to you. And before  
4 I get to my questions is there something that upon  
5 the multiple questions that have come out can you  
6 give us some suggestions about how we can recraft  
7 this, this bill... that's a topic for the hearing?

8 KIMBERLY HARDY: Council Member I... we  
9 think that the, the bill is really well intended  
10 and we would welcome having further discussions.  
11 Again just, just to step back SBS and the  
12 administration are very committed to workplace  
13 diversity. We agree the more information that we  
14 can get the better for, for all of us to have more  
15 transparency. We've been really working at SBS to  
16 improve technology and we're looking at some  
17 potential different avenues that we can take. And  
18 certainly, in the broader procurement context there  
19 is a, there is a, an initiative underway to, to  
20 have more technology, to, to give us the city, the,  
21 the, the ability to, to report and analyze data.  
22 And we're very open to working with the council to  
23 figure out what information would be most useful  
24 and how we can implement it. So, we're very  
25 committed..



1  
2 COUNCIL MEMBER MENCHACA: So, sounds  
3 like there's some gaps in technology. There's some  
4 things in it, resources that you don't have right  
5 now that you would, that would better serve this  
6 conversation for a better hearing next time.

7 KIMBERLY HARDY: Absolutely.

8 COUNCIL MEMBER MENCHACA: Is that, is  
9 that right? Okay great. So, let's be, let's... we get  
10 clear about that.

11 KIMBERLY HARDY: No, absolutely.

12 COUNCIL MEMBER MENCHACA: This committee  
13 would love, love to hear that. And that's just  
14 also... Isn't the city required to take and, and  
15 really kind of specifically track demographic data  
16 for federally funded projects under an executive  
17 order 11246? Is that right?

18 KIMBERLY HARDY: We collect... through the  
19 employment reports we collect the demographic data.  
20 It's done in a manual basis now.

21 COUNCIL MEMBER MENCHACA: Now, tell me a  
22 little bit more about that demographic data. Is  
23 that data and just, so, so you're saying yes, you  
24 do collect data from...

1  
2 KIMBERLY HARDY: We do, we do collect  
3 data again for, for projections...

4 COUNCIL MEMBER MENCHACA: For... so can  
5 you, can you define what that means, projections?

6 KIMBERLY HARDY: It means before the  
7 start of a construction project at... so we, the  
8 contractor will submit what the proposed work force  
9 will be and will note if, if a member or how many  
10 would be... is, are proposed to be women and other...

11 COUNCIL MEMBER MENCHACA: ...well those  
12 are just projections...

13 KIMBERLY HARDY: ...ethnic minorities,  
14 they're just projections.

15 COUNCIL MEMBER MENCHACA: So, under this  
16 executive order the federal money comes in and says  
17 hey let's, let's give this, the city the  
18 requirements and here, here are projections and  
19 you, and you capture those projections, those are  
20 projections you have before a project begins?

21 KIMBERLY HARDY: Yes.

22 COUNCIL MEMBER MENCHACA: And then what  
23 happens after those contracts are done in that...  
24 what, what then is part of the requirement for  
25 reporting on that front?

1  
2           ANDREW SCHWARTZ: I, I think, I think  
3 that's a good point Council Member is that these  
4 are projections that we get and I think that's the,  
5 the bill as I understand it from the council 1382  
6 is for us to aggregate these projections. That's  
7 what we don't have now, we don't have those  
8 aggregated numbers and that's what I think we're  
9 talking about. When we say employment reports we're  
10 not talking a comprehensive report to the council,  
11 we're talking about individual contracts and what  
12 the construction companies are giving us. And we're  
13 going to aggregate that information that's what  
14 we're talking about needing a little bit more in  
15 terms of technology and, and staffing. I, I just  
16 want to differentiate that from the MWBE discussion  
17 that came up because those reports are covered by  
18 local law 1 and we do file those every quarter. I  
19 know there have been a... some questions here about  
20 specific percentages and we don't have those at our  
21 finger tips but some of that material is in the  
22 MOCS report, some of that is in the report that we  
23 file and it's just difficult to have all of that at  
24 the ready and we will get that to you but we concur  
25 as we've said that we would work with the council

1  
2 in terms of aggregating the information we are  
3 getting and you know that's something we are  
4 looking at. I think you're referring to the federal  
5 OFCCP, the Officer Federal Contract Compliance and  
6 they do... I know they are working on programs to  
7 increase the reporting from companies and that if  
8 we could find a way to piggy back on getting the,  
9 the reports that the companies have to file with  
10 the federal government that might make our process  
11 a little simpler because the other thing we're  
12 concerned about here of course that this does take  
13 place in the context of procurement and everybody's  
14 concerned about the length of... you know at the same  
15 time we're concerned about these issues there's  
16 concerns about the length of time it takes to get a  
17 procurement done. Now MOCS is working on a citywide  
18 procurement initiative to speed that up. So anytime  
19 you know we're waiting for the DLS process to get  
20 done that's the time it takes before you can  
21 register a contract. So yes, with enhanced  
22 technology that could increase our ability to  
23 report for us to analyze, to provide to you, to get  
24 procurements done. So that's something we are doing  
25 our own operational analysis now, I mean it... since

1  
2 Deputy Commissioner Hardy has come on the focus has  
3 been you know in the six, seven months she's been  
4 here has been MWBE but DLS is also something that  
5 we want to talk with you, you know you've seen our  
6 employment report form, we would look for ways to  
7 improve that, to capture the information that  
8 you're looking for if, if that's helpful.

9 COUNCIL MEMBER MENCHACA: It is, it is,  
10 it is helpful and it offers a lot of other  
11 questions in how we think about MWBEs and the  
12 reporting, the local law in the federal executive  
13 order but i... what I will say to is what, what does  
14 the city do when, when contractors don't meet those  
15 projections?

16 ANDREW SCHWARTZ: Yeah, I think... well  
17 projections are just that, projections are not  
18 necessarily held to that but I think what we've  
19 been focusing on, the programs that Ashley has, has  
20 laid out Hire NYC these are the first time that  
21 city contractors are being mandated to use  
22 workforce from our workforce system which has a  
23 good percentage of minorities and women and they  
24 are required, going to be required to use those on  
25 city contracts. So, that's kind of a first. When we

1  
2 do see construction... now here... an area where our  
3 DLS process and our MWBE process comes together is  
4 in construction, when DLS brings in the companies  
5 for a pre-award conference that's a time to talk  
6 about well what sub-contracting opportunities are  
7 going to be on this project and we are going to be  
8 able to recommend certified firms for you to use  
9 for sub-contract because look the companies that  
10 are MWBE database they are not going to win the  
11 project to do a water pollution control plan but  
12 there's going to be sub-contracting opportunities  
13 on that and we want to make sure that at the  
14 beginning, during this pre-award process we've  
15 actually had an opportunity to look down the road  
16 at what the sub opportunities are going to be. So,  
17 we're able to use it in that way. So, I understand  
18 like on the one hand we're looking at kind of  
19 programs that for the first time are trying to  
20 bring city workers into city contracts but at the  
21 same time you're looking for information on  
22 specific contracts and holding people accountable  
23 and I think we understand that.

24 COUNCIL MEMBER MENCHACA: Well and, and  
25 I think if... it... my next question is how, how much

1  
2 of a plan have you developed already internally at  
3 the agency level for this technology solution and  
4 are we in brainstorming sessions, are we, are we  
5 beyond that do you, do you have something ready to  
6 go, we're going into budget season soon, are we  
7 going to see that in the budget, in the budget  
8 hearings, how far are you down the line in, in  
9 developing that solution?

10 ANDREW SCHWARTZ: It's tough to say at  
11 this point but somewhere in that process. I think  
12 as you indicate budget process is a good time to  
13 hopefully..

14 COUNCIL MEMBER MENCHACA: I think it's  
15 the only time we're going to have to talk about  
16 this and so we're hopeful that in a budget hearing  
17 we can, we can see and we can expect and we're  
18 giving you that notice now, we're going to want to  
19 see a, a real solution and plan so that we can  
20 support you, support that. I think that that's a  
21 hurdle that we keep on hitting and we don't see  
22 solutions and so now is the time. We want... not only  
23 get data that we've been asking for but a, a  
24 technology solutions that are going to get us to  
25 that point too. I, I'll just throw out a couple

1  
2 pieces that, that data in, in so many ways can get  
3 crafted in, in... for us and by trade is another  
4 important thing. We want to see, we want to see  
5 data by trade, we want to see what trades are doing  
6 better than others, that's an important thing for  
7 us and I think this is a question that we talk  
8 about a lot. And then also on the dollar value of  
9 the contracts too, that's an important piece that  
10 can help, help in, in other ways, understand  
11 exactly how much by dollars are minority and women  
12 contractors getting as we move forward. So, that's  
13 also just to kind of que in the, the, the  
14 technology pieces as well as you, as you develop  
15 the technology solutions. And, and look we're going  
16 to hear from the advocates and they're... we're,  
17 we're all in the same boat, we want more  
18 transparency, we want more ability to track data so  
19 that it could be understandable so that we can, we  
20 can bring more policy solutions to the front. And  
21 the last thing I'll say is that I know we don't  
22 want to slow down the contracting process but one  
23 way to not necessarily slow it down but make it  
24 clear for companies that are doing the right thing  
25 is to understand who is doing the right thing. And



1  
2 so reporting, better reporting will show us that  
3 there are, there are contractors that are not only  
4 responding to not just projections but post  
5 projections in saying they're a good player, we'll  
6 give them better, better ratings, this is not just  
7 a low dollar, low dollar bid, bidding process, this  
8 is a... they're following the rules that we're  
9 engaging, they're saying their projections and  
10 they're meeting them and you get to the front of  
11 the line. Let's figure out how we can, how we can  
12 do that but we can't even do that right now it  
13 sounds like because we don't even have that data.  
14 So, I'll stop there and, and just say I, I am  
15 incredibly frustrated right now too but it sounds  
16 like we have a solution and a pathway for a real  
17 impact on this next budget to solve some of those  
18 solutions. So, one year from now we're, we're back  
19 in a better light. And so I don't know if you want  
20 to answer any...

21 ASHLEY PUTNAM: ...yeah, Council Member  
22 I'd, I'd love to address some of the information we  
23 do have by trade. And actually, this comes from  
24 again the mayor's Committee and Construction  
25 workforce and contracting we had a presentation on

1  
2 the data on apprenticeship entries. So, under our  
3 project labor agreements we do require a certain  
4 percentage of apprenticeships spots in the trades  
5 to be held for our direct entry program and I'm  
6 happy to share that with you now. So, this is our  
7 data that is provided, we have to get this data  
8 from the New York State Department of Labor on  
9 apprentices. So, this data is as of 2014. So right  
10 now, all of our apprentices in New York City  
11 construction sites from this data set, 39... or  
12 sorry, 69.9 percent are minority and 11.5 percent  
13 are female, 82 of those folks came from helmets to  
14 hardhats, 100 from NEW which is Nontraditional  
15 Employment for Women, and 121 from the Edward J.  
16 Malloy Construction Skills Program. So, we are  
17 continuing to follow up on those project labor  
18 agreements. Again, is a very important tool for us  
19 to diversify the trades and something you mentioned  
20 before is getting them into those apprentices. And  
21 those apprenticeships are something we're very  
22 committed to and I'm happy to share, I do have a  
23 breakdown, I don't have it aggregated but I do have  
24 this information. I'm happy to follow up and, and

1  
2 share with you from the, from the state Department  
3 of Labor.

4 COUNCIL MEMBER MENCHACA: Thank you.

5 CHAIRPERSON CORNEGY: So, before we hear  
6 from Karen Koslowitz I want to say that I, I, I  
7 want to clear something up. Aggregating the data on  
8 predictions isn't as effective to me as aggregating  
9 the data on actual placements. So, I, I don't want  
10 to, you know have to come back and say that I agree  
11 to aggregating data on projections because I don't  
12 agree to that and I don't think any of the rest of  
13 the, the members agree to that. We need to know  
14 actuals and then to Council Member Menchaca's  
15 point, I would like to leave here today knowing  
16 what the barriers to getting this data are not  
17 speculating, not assume, not asserted, what are the  
18 actual barriers so that we can... I... and then I don't  
19 want to necessarily let any agency off the hook by  
20 saying it's a budget issue and we'll discuss it in  
21 the budget because there are ways around everything  
22 that don't include money sometimes. Now there are  
23 certain barriers, I get it but I need to know as  
24 the chair of this committee what the barriers are  
25 so that I can go back to the committee members and

1  
2 be willing to advocate where, where necessary for  
3 whatever could be to the barrier but if I don't  
4 know the barrier then I'm going to continue this  
5 line of questioning which is probably not fair if  
6 you, if you've identified barriers that we can  
7 remedy. So, I just... you don't have to answer that,  
8 I'd like you to think about that but think of me as  
9 an advocate even though this, this hasn't been an  
10 advocates conversation, I understand that but if  
11 there are barriers I, I, I literally need to know  
12 by, by the end of this hearing what those barriers  
13 are and I'll just let Karen Koslowitz has some  
14 questions.

15 COUNCIL MEMBER KOSLOWITZ: I really  
16 don't have questions because I'm very frustrated  
17 with this hearing and I love SBS you do great work  
18 but I really feel that it's not together and I  
19 really feel that at the next hearing we should have  
20 contracts here also to be accountable for what they  
21 canned out to the city of New York. Transit  
22 Authority doesn't come under your jurisdiction but  
23 I, I worked for contractors in the '70's and I know  
24 and I did the bidding and I did all, all that kind  
25 of work. So, I know what it entails and we had.. I

1 worked... we probably had 500 people employed under...  
2 when I was working electricians, I worked  
3 electrical contractors and we knew about each and  
4 every one of the people that were for us. So, we,  
5 we ourselves and we bided out many contracts to the  
6 city of New York. And we could tell you about  
7 almost everyone that was there and I think that  
8 each company should be liable to giving you the  
9 statistics that you need and I think it has to be  
10 computerized, I don't think it's something you know  
11 off the top of your head, we're talking about money  
12 that it costs money when you contract, contracted  
13 out the bidding process, of course money you...  
14 hopefully you'll do the, the lowest bidder. You  
15 have to have more information, I mean this is very  
16 haphazard and it makes me really sad to see this.  
17 And like I said SBS is a great agency, I've worked  
18 with them, they've been very cooperative but on  
19 this level, I'm disappointed. Thank you.

21 CHAIRPERSON CORNEGY: Thank you Council  
22 Member. So, get back to the, the project labor  
23 agreements in, in developing these agreements how,  
24 how were these agreements negotiated and, and what  
25 do they entail, are they specifically involving the

1  
2 city and organized labor or is there local hire or  
3 local community workforce development or not for  
4 profits involved, how, how, how does these project  
5 labor agreements come together?

6 ASHLEY PUTNAM: So I can speak to that  
7 to a certain extent, I'm happy to get back as I was  
8 not there for the negotiation but the project labor  
9 agreement has several things it entails and yes  
10 that includes building and construction trades,  
11 GCA, we also had workers representing minority,  
12 minority and women businesses that we had a whole  
13 collaboration of folks that came together around  
14 negotiating these project labor agreements and it  
15 involved both contracting opportunity and workforce  
16 and one of the things stipulated that is the  
17 committee, the mayor's committee on construction  
18 workforce and contracting opportunity and that they  
19 are tasked with tracking and interested in tracking  
20 these apprenticeship entries. There's a lot of  
21 other things in the project labor agreement which  
22 I'm, I'm happy to, to send along and speak to you.  
23 there is not a specific language around local hire  
24 as much as around these pipelines, is that  
25 incorrect... around these pipelines into, into the

1  
2 apprenticeships so we're looking at again, getting  
3 someone into the trades, understanding that working  
4 with these certified pre-apprenticeship programs  
5 that we talked about before and that also includes  
6 NYCHA residents. So, that is specifically named the  
7 NYCHA Resident Training Academy, has a percentage  
8 slot into the apprenticeships and we've been  
9 working very closely with them to connect more  
10 NYCHA residents with career opportunities in the  
11 trades. So, we've had great success again through  
12 this industry partnership and over the past couple  
13 years within this project labor agreement trying to  
14 connect more folk... people to those, those  
15 opportunities and that involves investments and  
16 skill development and education and literacy so we  
17 understand that it's not just the regulation it's  
18 also our investments of the city and, and helping  
19 to build those people up and SBS has been a leader  
20 in doing that.

21 CHAIRPERSON CORNEGY: So, could you tell  
22 me again how many reports you actually received  
23 annually or, or this year, how many reports you  
24 received from the 9,000 contracts that are out?

25

1  
2 KIMBERLY HARDY: For employment reports,  
3 for employment reports we received approximately  
4 2400 employment reports.

5 CHAIRPERSON CORNEGY: And each, each  
6 contract is, is required but of course there's  
7 overlap, right? So, so...

8 KIMBERLY HARDY: Yes...

9 CHAIRPERSON CORNEGY: ...each contract...

10 KIMBERLY HARDY: ...for every contract...

11 CHAIRPERSON CORNEGY: ...is required to,  
12 to, to make such a report and then there's overlaps  
13 so they can potentially be only 3,000 out there but  
14 in the case, that that is not the case so that is  
15 not... there's no more in the 2400 what happens to  
16 those that fail to report?

17 KIMBERLY HARDY: Then the agency isn't  
18 able to award the contract if they don't have  
19 approved equal opportunity employment practices.

20 CHAIRPERSON CORNEGY: I'm sorry, but the  
21 report is it post... is this a post... this is a post  
22 report, right? Post contracting?

23 KIMBERLY HARDY: This is the pre... this  
24 is the pre-award employment report.



1  
2 CHAIRPERSON CORNEGY: So, what kind of  
3 date... what kind of data are you currently receiving  
4 about employment and NWBE participation in these  
5 city contracts?

6 ANDREW SCHARTZ: Post.

7 CHAIRPERSON CORNEGY: Exactly.

8 KIMBERLY HARDY: For, for post the city,  
9 the city receives the dollar value and the... we know  
10 the actual contracts that are going to MWBEs both  
11 as primes and as subcontractors.

12 CHAIRPERSON CORNEGY: But with the  
13 contractors, the contractors are they required..  
14 what kind of reporting is currently required and  
15 what kind of reporting are you currently receiving  
16 based on those mandates?

17 KIMBERLY HARDY: For MWBE reporting  
18 they're... each agency oversees the...

19 CHAIRPERSON CORNEGY: I'm sorry...

20 KIMBERLY HARDY: ...reporting  
21 requirements...

22 CHAIRPERSON CORNEGY: I'm talking about  
23 the contractors who are being awarded city  
24 contracts, are they obligated... is their  
25

1  
2 responsibility currently for them to whether it's  
3 employment reporting or...

4 KIMBERLY HARDY: Sure...

5 CHAIRPERSON CORNEGY: ...or the MWBE subs  
6 whatever contract is currently required by law and  
7 we talked about the federal mandates what  
8 information are we currently receiving?

9 KIMBERLY HARDY: From the federal  
10 mandate that...

11 CHAIRPERSON CORNEGY: That... the... in  
12 general whether it's, it's, it's... it's past  
13 executive orders that have come through the city,  
14 whether it's the federal mandates, whether it's  
15 local law 1 what are we receiving specifically from  
16 companies currently contracting construction  
17 contracts with the city of New York?

18 ANDREW SCHWARTZ: Yeah, when a contract  
19 is ongoing sometimes you know construction  
20 contractors awarded today and the work may go on  
21 for several years. So, there will be additional  
22 sub-contracts coming onto that... sub-contractors  
23 coming on, they will be subjected to the DLS  
24 employment process as well as well as the MWBE  
25 awards are added at that time too when sub-

1  
2 contracts are award so we will be tracking that on  
3 a continuing basis during the life of that  
4 construction contract.

5 CHAIRPERSON CORNEGY: Is there annual  
6 reporting from each contract? Where we... where the  
7 project is, is it, is it on time, here's what  
8 happened during that point...

9 ANDREW SCHWARTZ: That...

10 CHAIRPERSON CORNEGY: ...here's who we  
11 hired?

12 ANDREW SCHWARTZ: Yeah, I would say that  
13 that's not the part that we're doing, that would be  
14 the actual contracting agency and I think when we  
15 were discussing how we're going to tackle this  
16 problem a little bit I think it's going to involve  
17 speaking to those agencies and, and what they track  
18 and what data they have that maybe inform this  
19 process somewhat but we would not be doing that so...

20 CHAIRPERSON CORNEGY: Okay and, and, and  
21 finally of the two and half billion dollars being  
22 procured does that capture EDC dollars as well?

23 ANDREW SCHWARTZ: No, it does not.

24 KIMBERLY HARDY: It does not.  
25

1  
2 CHAIRPERSON CORNEGY: Anybody have any  
3 idea what EDC is spending on construction annually?

4 ANDREW SCHWARTZ: I think that is in the  
5 1NYC report, EDC but we will add that to the list  
6 of information to provide you as well.

7 ASHLEY PUTNAM: And EDC does have Hire  
8 NYC requirements on all of their development  
9 projects and we're very actively engaged in all of  
10 these projects as they go up in recruiting and  
11 working with community organizations to get folks  
12 sources for those projects including some in Bed-  
13 Stuy, we're working with Bed-Stuy Restoration Corp  
14 and Camba to source talent for those projects out  
15 there coming up, we do have that report.

16 CHAIRPERSON CORNEGY: Okay and who were  
17 you working with in Jamaica?

18 ASHELY PUTNAM: I don't know, I don't  
19 have... I haven't been to Jamaica yet but I, I can, I  
20 can talk to my FCS [?] colleagues and find out who  
21 they were collaborating with there for you.

22 CHAIRPERSON CORNEGY: Thank you...

23 ASHLEY PUTNAM: I know they have some  
24 great community partners...

25 CHAIRPERSON CORNEGY: Councilman.

1  
2 COUNCIL MEMBER MILLER: As it relates to  
3 the advocates I'm, I'm going to ask that you stay  
4 and hear from the advocates or at least some of  
5 your staff stay and hear from the advocates. I  
6 think you know you've heard us talk around the  
7 issue to some degree but I think you need to hear  
8 directly from some of the, the more vocal and more  
9 prominent advocates who are here who have been on  
10 the front lines dealing with issues.. this issue and  
11 the very similar issues for, for a long time. So,  
12 if you, if your schedule permits I really would  
13 prefer if you were able to give them your ear or  
14 your staff.

15 ASHLEY PUTNAM: And Council Member I do  
16 want to clarify it has, it has been clarified to me  
17 that 11426 there are agencies that do track that in  
18 terms of diversity data and again that's not  
19 necessarily at the DLS level but the agencies such  
20 as the HRO and other agencies but the agencies  
21 contracting it do have access to that data for  
22 federal funding again also of section three.

23 CHAIRPERSON CORNEGY: And... but I think  
24 it's worth noting that we know that there are some  
25 agencies that do some of this very well so we, we,

1  
2 we know that SCA we've worked with and does a great  
3 job and has a program that we'd like to see  
4 replicated through all the agencies. So, I don't  
5 want you to leave thinking that you know this was  
6 totally us not understanding who has been at the  
7 forefront of doing, doing some of this work really  
8 well but it also gives us a benchmark to, to higher  
9 our expectations for, for all agencies and, and to  
10 have some uniform way that this is done to help you  
11 and us reach our, our goals.

12 KIMBERLY HARDY: Thank you, thank you  
13 Council Member. Yeah Mr. Chair I would just  
14 reiterate that the city and the SBS specifically  
15 obviously are very committed to diversity and the  
16 workforce and we certainly agree that more  
17 information is needed and, and we want to work with  
18 the council to discuss ways that we can improve  
19 some of our practices. We probably... we know we  
20 need... you asked about some of the barriers,  
21 technology and some of the other members have noted  
22 is, is, is much needed in this area. Our resources  
23 to date to promote diversity have really been in  
24 the construction industry partnerships, the Hire  
25 NYC portal but please know that we are looking into

1  
2 technology as a way to have the information readily  
3 available and we're very, very open to working with  
4 the council and, and thank you for holding, holding  
5 the hearing today.

6 CHAIRPERSON CORNEGY: Thank you so much  
7 for, for coming out and providing what limited  
8 information that you do have which, which is not a  
9 knock and, and, and this is not the first time  
10 that, that this has happened but I think that we  
11 have enough information to, to, to take back that  
12 we can drill down on and that we can be better,  
13 that we can ultimately reach that target audience  
14 that, that, that we're looking to reach and, and  
15 sure that they are participants in the construction  
16 trades. And particularly when, when, when projects  
17 are being done in these communities that the  
18 communities that the people that are performing  
19 these tasks are, are representative and reflective  
20 of the communities as well as not just the labor  
21 side but certainly on the ownership side as well.  
22 So, whatever we can do we, we want to do that but  
23 let me just... can I just... when you... when, when, when  
24 these... and just conversations of procurement are  
25 going on. How, how are we engaging the contractors,

1  
2 are we asking these questions, are we actually  
3 physically... is there a form that says... is there a,  
4 a request that we have that says that this is the  
5 criteria or this is... these are the expectations?

6 KIMBERLY HARDY: Well this... with regard  
7 to the employment reports and the contractors that  
8 are submitting them in addition to the actual  
9 submission of the written report we also have pre-  
10 award conferences where we talk about the diversity  
11 of the workforce, ensuring that there's fair  
12 employment practices, connecting, asking about the  
13 subcontractors, connecting them to our NWBE that  
14 are in our directory and in, in trying to make a...  
15 those connections. So, so, so there is some  
16 conversation, quite a bit of conversation...

17 CHAIRPERSON CORNEGY: Do you...

18 KIMBERLY HARDY: ...but that, that's not...

19 CHAIRPERSON CORNEGY: ...have the human  
20 capital for oversight to, to follow up and, and  
21 ensure that folks are adhering to these policies  
22 currently and, and do you have the, the, the human  
23 capital to, to not just gather this data but to be  
24 able to retrieve it and, and transform it into, to,



1  
2 to useful information to achieve the goals I think  
3 everyone here is seeking?

4 KIMBERLY HARDY: I, I, I think to  
5 achieve those goals that many of us agree on... and  
6 with regard to workplace diversity we would need  
7 additional staffing resources, we're trying to  
8 analyze exactly what those needs would be and they  
9 would be based on what, what the legislation is...

10 CHAIRPERSON CORNEGY: Okay, well let me...

11 KIMBERLY HARDY: ...moving forward...

12 CHAIRPERSON CORNEGY: ...say that, that,  
13 that the Committee on the Civil Service and Labor  
14 and if I may speak for, for my, my colleagues at  
15 small, of small business and his committee that we  
16 are absolutely committed to the success of, of this  
17 legislation and whatever we can do to move forward  
18 and make sure that you have the tools that, that  
19 this is successful that we're willing to do and,  
20 and, and just want to thank you guys again for  
21 coming out.

22 COUNCIL MEMBER MILLER: Before you go  
23 out I think one of the things I did not do was  
24 detail what we're looking for in the report. Some  
25 of the, some of the demographical data, demographic

1  
2 data that we're looking for include but are not  
3 limited to gender, trade affiliation, employee  
4 address, so are you hiring New Yorkers, union  
5 affiliation, hours worked, and length of placement.  
6 Now with just that preliminary real basic  
7 information do you think that's something that you  
8 could produce quarterly?

9 KIMBERLY HARDY: I think that's  
10 something we, we certainly want to look at and,  
11 and, and we would, we would hope that we could do  
12 that, we would need additional resources but  
13 certainly that is useful information. And again,  
14 we'd love to continue to work with you, we know we  
15 are capturing some of that in Hire NYC and that  
16 there's other things we're interested in also;  
17 NYCHA residency for section 3 compliance and  
18 everything from even... public assistance... we're very  
19 interested in looking at who we are connecting to  
20 these job opportunities and we are capturing some  
21 of that within Hire NYC. And again, we are very  
22 committed to this idea of workforce diversity, we  
23 want to ensure that there's transparency and we  
24 again will work with the council to come up with  
25 the, the right outcome.

1  
2 COUNCIL MEMBER MILLER: So I, I want to  
3 be clear I believe that, I believe that you are  
4 committed to that in other areas, I've worked very  
5 closely with SBS and then you demonstrated that so  
6 I guess we all are a little alarmed that at this  
7 plate... that we're at this place and, and that's  
8 probably where some of the greatest criticism comes  
9 in because we know that you know you guys generally  
10 lead the charge as it relates to diversity. So, I  
11 think that's kind of where the disconnect and, and  
12 has people probably more upset because we expect so  
13 much because you've done so much. So, thank...

14 KIMBERLY HARDY: Well thank you.

15 CHAIRPERSON CORNEGY: So, we're going to  
16 call the next panel. This is a very illustrious  
17 panel so I don't even know how to call them without  
18 saying it's an illustrious panel; the illustrious  
19 Hazel Dukes, the illustrious Bertha Lewis, and the  
20 illustrious state senator James Sanders Junior,  
21 what a panel. Alright and former Chair of the Civil  
22 Service and Labor Committee.

23 [background dialogue]

24 CHAIRPERSON CORNEGY: We just want to  
25 affirm your testimony so we would ask you to..

1  
2 COMMITTEE COUNSEL: Please raise your  
3 right hand, do you affirm to tell the truth, the  
4 whole truth, and nothing but the truth in your  
5 testimony today and to answer Council Member  
6 questions honestly?

7 JAMES SANDERS: I, I do and amen.

8 COMMITTEE COUNSEL: Thank you.

9 JAMES SANDERS: I don't think they'll  
10 have problems getting the truth out of this panel.

11 CHAIRPERSON CORNEGY: I don't even know  
12 the correct order to go with such an illustrious  
13 panel...

14 JAMES SANDERS: I know the... I know the  
15 last person will be me.

16 CHAIRPERSON CORNEGY: Absolutely  
17 senator.

18 HAZEL DUKES: Let me just say good  
19 after... men and women that I respect who take their  
20 job seriously as elected officials so good  
21 afternoon members of the committee on small  
22 business, Progressive Caucus, black, Latino, and  
23 Asian Caucus and the Committee on Civil Service and  
24 Labor. My name is Dr. Hazel n. Dukes, I'm the  
25 president of the NAACP New York state conference

1  
2 with 15 branches operating in the five boroughs of  
3 New York City. As a matter of fact, we're so big  
4 and bold that we have three to four branches in  
5 most places. In Queens, we... I am honored to say we  
6 have four branches so we didn't leave Queens out.  
7 Brooklyn is so large till we named it twice so we  
8 only have one in there. You may know the NAACP was  
9 one of the oldest. boldest, and most effective and  
10 most respected civil rights organization in the  
11 nation. The NAACP has played a pivotal role in  
12 moving their agenda of freedom and equality forward  
13 under the leadership of many before me, each of  
14 whom address many critical issues during their  
15 tenure. Like my civil rights activist miss Bertha  
16 Lewis of the Black Institute I'm testifying in  
17 opposition to introduction number 1382 of 2016 and  
18 if you heard what I heard if you didn't take a nap  
19 knowing that people did not bring information that  
20 they should have you will know why I am vemit  
21 [phonetic] opposed to it because there's no teeth,  
22 there's no information for my community as we watch  
23 buildings going up in New... in this great city with  
24 nothing but African American and mostly women  
25 raising flags. However, I want for the record to

1  
2 show the veil is holier inadequate to further the  
3 aims that we need for transparency and for us to  
4 know where our tax payer dollars are going, full  
5 disclosure. Over a period of months and I say  
6 months but I mean years, the last five years the  
7 NAACP under the guidance of our direct... board of  
8 directors we were entrust with five game changers  
9 and one of the game changers was economic state  
10 ability. And so that's why I work so hard in the  
11 last five years to bring those together in city,  
12 government and state government and in the trades  
13 especially in the construction industry and have  
14 had no way of moving it. So today I express  
15 uncertainty about 1382, it would not accomplish  
16 much needed goals that have been reflected by the  
17 NAACP and could not take the place of the  
18 disclosure act. You heard it, I didn't bend it, the  
19 people came here today did not have the information  
20 that you needed to go forward to make a decision.  
21 So... and I have included a complete text and so I'm  
22 here standing. This resolution came out of the, the  
23 NAACP mid, mid-Manhattan branch where the state  
24 economic development is a vice chair of that  
25 branch. We have looked, we have reviewed from every

1  
2 instance that we could and do not see the spirit of  
3 improving transparency. So, I will summarize some  
4 prevision of the disclosure act to ensure the  
5 public is fully aware of just how unacceptable the  
6 100 words included in Intro number 1382 truly are.  
7 Now given that you all have moved forward with this  
8 1382 instead of the discloser act. I believe the  
9 public deserves to know why it is acceptable to  
10 maintain the city inability to access... to receive  
11 the benefits of city assisted construction  
12 projects, why can't the public be made aware of the  
13 actual demographic these... of these projects, why  
14 can't the public be shown whether or not city  
15 residents are receiving the benefits of good paying  
16 construction jobs after receiving city funds. Why  
17 can't the discloser act move forward. NAACP  
18 strongly oppose Intro number 1382 in its current  
19 form. We believe New York City deserves better, the  
20 city council should address the department failure  
21 to fulfill requirements of the city charter by  
22 replacing the broken system with a modern most  
23 transparent alternative. So, the disclosure act  
24 that you have before you now is to amend  
25 administrative code 6 title 1 and while I was

1  
2 sitting there I was praying for patience and  
3 wisdom. No questions was really directly asked of  
4 these persons who get paid to do this job. When was  
5 their last report and who did they report to? The  
6 city charter mandate that is to be done, I didn't  
7 hear nothing but juba jumbo and I took a little nap  
8 and then I woke up to hear more of nothing, nothing  
9 and you city Council Members did not drill down,  
10 where are the reports under the city charter. When  
11 did you see one, if there's any why wasn't they  
12 provided today instead of coming back. So that's  
13 why the NAACP have got a disclosure act would stop  
14 all of this nonsense and you wouldn't have to come  
15 back and you most certainly shouldn't come back  
16 next year when we just begin 2017, we didn't see  
17 you getting anything for 2016 so now we got to wait  
18 till we get some... whatever they need to do nothing  
19 with because what we asked them for could be done  
20 by interns, we don't need any other... all of this  
21 waiting and see. So, what we want here is  
22 additional definition of administrative code title  
23 6, chapter 1 which presently provide non... new  
24 requirement included, create workforce to close  
25 your records to be submitted to the department each



1  
2 quarter and identify city assistant construction  
3 projects by address with... which Councilman Miller  
4 did get to before he closed his statement. We want  
5 to see demographics, we want to see gender and  
6 trade classification, MWBEs affiliation, home zip  
7 code. This is nothing that the LBI is going to...  
8 about a house and... them for. I'm a citizen, you're  
9 using my, my money to fudge people who are making  
10 money off of this city, we don't know where they  
11 live, we have men and women who are trade prepared  
12 to work because they were out of work they couldn't  
13 pay union dues and so cousins and uncles are coming  
14 back and people from my community is not working.  
15 And so this disclosure act will mandated to it your  
16 Intro 1382 won't do anything but let them continue  
17 to slide by and as a civil rights activist I will  
18 not sit here in this city with my 15 branches and  
19 allow this to continue to happen to us not only  
20 African Americans but Latinos and women and I  
21 won't... stop talking about minorities. We are the  
22 majority in this city so let's be fair and let's  
23 put it on the table who we're talking about and who  
24 I'm here fighting for, I'm for equal opportunity  
25 for everyone but when I hear the statistics

1  
2 continue to be where my community is not able to  
3 have a decent living, they are homeless, children  
4 can't go to school, come on we cannot sit here any  
5 longer and play games with our self. So therefore,  
6 I want the record to show we are vehemently opposed  
7 to 1382 and ask you to look at our disclosure act,  
8 come back to us and tell us why this can't be a act  
9 for the city of New York. Thank you very much.

10           BERTHA LEWIS: Any questions? My name is  
11 Bertha Lewis and I am the founder and the president  
12 of the Black Institute and the Executive Director  
13 of the Black Leadership Action Coalition. I'm  
14 giving this testimony before this joint committee  
15 about local... a proposed local law introduction  
16 1382. This is supposed to amend the city charter in  
17 relation to the reporting information on the  
18 workforce of contractors performing construction  
19 work with city assistance. I want to thank you,  
20 thank you, you two Councilmen for having this  
21 hearing. I really appreciate your, your leadership.  
22 This hearing is vital, it's important and it's  
23 needed. However, we beg to differ and we disagree  
24 with the current forum of your legislation which we  
25 feel is incomplete, inaccurate, and wholly

1  
2 inadequate. The Black Institute and Black has as  
3 our foundation data collection and research, we are  
4 an action tank, that is a think tank that takes  
5 action. You cannot address or attack any problem or  
6 issue without real data and facts. As you all may  
7 know we've been waging a campaign for the last two...  
8 a few years to address the shameful discrimination  
9 and city contracting against minority and women  
10 business entrepreneurs which I might add includes  
11 many veterans across this city and state. We've  
12 joined together with the NAACP, other groups,  
13 organizations, and individuals on this matter  
14 because it effects and encompasses some of the very  
15 same issues that MWBEs face on a daily basis as it  
16 pertains to the construction industry. The  
17 construction industry has provided workers with a  
18 historical pathway to economic development and  
19 advancement. However, it is far from clear who is  
20 being provided such opportunities for economic  
21 advancement. Publicly available, geographic, and  
22 demographic data as to who is performing  
23 construction work in New York City is simply not  
24 available. The city should assess whether city  
25 residents are receiving the benefits of good paying

1  
2 construction jobs. Now we are proposing amendments  
3 to the city's administrative code to require not  
4 till we see... when we get ready but to require  
5 workforce disclosure on all, all, all projects that  
6 receive financial assistance from the city with a  
7 present financial value of a million dollars or  
8 more. Make it simple, make it plain, all analysis  
9 of the workforce disclosure records that will  
10 result, facilitate the use of city assistance to  
11 broaden economic opportunities for city residents.  
12 The changes that we propose would aggregate  
13 information that is supposed to be currently  
14 collected and we would take this out of a disparate  
15 process, require the submission of additional  
16 information to provide greater context and  
17 transparency for the impact of city financial  
18 assistance. Actually, create reports that would  
19 inform future policy surrounding workforce goals  
20 and MWBE participation and make more information  
21 more useful through electronic filings and release,  
22 exactly the issues that you all brought up. The  
23 disclosure act that we drafted in our attempts to  
24 help would of answered and provided all of the  
25 issues that you brought up here and why is this so

1  
2 important to us because the demographics of this  
3 city are 65 percent quote minority unquote. And  
4 soon the entire country will be a new majority that  
5 is composed of so called minorities. The workers in  
6 this city will be the majority minority but now  
7 they only make up some of the lowest rung,  
8 unskilled, non-union workers in the booming  
9 construction industry. You know there's a, a  
10 congresswoman in Brooklyn that said New York City  
11 has a new bird and it's called the crane because  
12 everywhere you look there is a construction crane.  
13 We talk about infrastructure and the city of  
14 tomorrow, well who do you think is going to build  
15 it? The data that was supposed to be collected to  
16 comply with city, state, and federal equal  
17 employment opportunity law was first codified in  
18 the New York City charter April 25<sup>th</sup>, 1980 under  
19 Mayor Koch. It's only been amended three times with  
20 just minor adjustments and so ever since Mayor Koch  
21 these reports were supposed to be done and then  
22 came Mayor Dinkins and these reports were supposed  
23 to be done then Giuliani, then Bloomberg and  
24 finally Mayor William De Blasio. We believe that  
25 this administration is in violation of the city

1  
2 charter, we believe that SBS in violation of the  
3 city charter. We believe that the leadership of SBS  
4 should be fired, terminated, and replaced and that  
5 the administration and the mayor's office is not up  
6 to the task of enforcing the charter or adhering to  
7 it. What is the punishment when you violate the  
8 city charter every single year since 1980? This  
9 counsel should be asking for every single contract  
10 since 1980 that had a so called EEOC attachment,  
11 ask for that so you can finally figure out whether  
12 or not SBS has in fact done any reports we don't  
13 think they exist because if they existed they would  
14 of presented them here today. Therefore, you need  
15 to amend 1382 so that it really can affect a  
16 broader population of projects, provide real  
17 transparency, penalize those who do not comply and  
18 have the force of law not just an executive order  
19 but the force of law. Women need to be counted,  
20 veterans need to be counted, MWBE's need to be  
21 counted, we cannot continue to have minorities as  
22 Dr. Dukes says on construction projects be the flag  
23 wavers you've seen them out in the middle of  
24 traffic that's what they do. Apprentices, really  
25 forever. This is what is brought to you all as

1  
2 testimony by the small business administration. We  
3 will never have parody because even small business  
4 agency can't get it together so we'll never get  
5 into big business. Enough, enough, enough. Now we  
6 know that this progressive counsel will do the  
7 right thing, we know you all will because after  
8 sitting through what you all had to sit through we  
9 know you all are going to the right thing. We know  
10 that you will make 1382 have real teeth and real  
11 force and that you will do the right thing even  
12 though the mayor and SBS cannot seem to or maybe  
13 the mayor and SBS do not care to do so. Thank you.

14 CHAIRPERSON CORNEGY: Thank you, Senator  
15 Sanders.

16 JAMES SANDERS: You noticed that I was  
17 choking before there's such power at this table my  
18 friend that it choke a brother up. Let me thank the  
19 committee having sat in the seats that you have as  
20 a Council person for 12 years, it's a, it's a joy  
21 to see the council grappling with these age old  
22 problems that we were with the same spirit. I, I  
23 commend you for that. I'm going to bypass my, my  
24 testimony, you have it but I want to frame this in  
25 a, at type of context that we need and the context

1  
2 is really the question, will New York City be New  
3 York City for all New Yorkers. This is the thing  
4 that we're wrestling with, this is the essence of  
5 what... everything that you're going to hear for the  
6 rest of the day, will there be one New York or will  
7 there be several New Yorks as there are currently.  
8 I, I, I digress to say that I take this especially  
9 serious because I'm the father of MWBE in New York  
10 City. I am the author of local law 1, the author of  
11 local law 129 and I was taught this by the very  
12 people sitting at this table here and others. I  
13 learned of these things because I had a great  
14 teachers who educated me. I am also on the mayor's  
15 MWBE advisory board, I'm also in a few days  
16 probably going to be the Chair of the Senate Dems  
17 task force on MWBE but I'm speaking for myself  
18 today, I'm speaking as myself for myself, I'm not  
19 speaking for anyone else. As a father, a father  
20 always wants a strong robust child, a... educated,  
21 strong, robust child and MWBE has not been that,  
22 its been anything but that. My points are a little  
23 different than my, my colleagues, I always noticed  
24 that, that MWBE has been given to SBS but SBS is  
25 probably one of the least funded agencies that we



1  
2 have and this part of SBS MWBE has historically  
3 been under funded. The really energy needs to go  
4 into this part if you want these reports, if you  
5 want to have it at the point that you, that, that  
6 they have it in their hand then you have to fund  
7 them in that manner. A word of the bill that we're  
8 speaking about today I commend the chair and others  
9 for trying to come up with this. In logic, I would  
10 say that this is necessary but insufficient,  
11 necessary but insufficient. The spirit is right,  
12 you're going in the right direction but you got  
13 many miles to go before you can sleep on this issue  
14 and we shouldn't sleep on this one that if we could  
15 just remember that at the end of the day there's  
16 real people on the ground that need this stuff. The  
17 people that we walk over and sometimes asking us  
18 for, for money or whatever these people need to be  
19 working. One of the hardest things I've ever had to  
20 do is when... people, my constituents come up to me  
21 and pull me to the side and say listen I really  
22 need a job, I need help, can you get me... can you  
23 help me and I have to really tell them no, I can't  
24 help you, it breaks my heart. Yes, I could send  
25 them to this place and that place but I know that

1  
2 very little is going to happen when I send them and  
3 that breaks my heart because Bob Marley taught us  
4 that in midst of water only a fool is thirsty. If  
5 we are going through an incredible boom in the city  
6 then how come these people are not working, there's  
7 something wrong here but let's be clear this is an  
8 age old problem, this is an American problem. This  
9 is one that was started 400 years ago, this is an  
10 old problem, an American problem. However, problems  
11 have solutions, we just can't say it was started  
12 then, then that's the end of it, what are we going  
13 to do about it when we realize that justice delayed  
14 as Madame Dukes will teach us is justice denied.  
15 Every day that we're not doing something about this  
16 then we add to our own sin here, we add to our own  
17 crime or are a part in it. Now most jobs everyone  
18 knows most jobs are started by small business and  
19 this is a fact beyond, beyond anyone questioning.  
20 Another study will also show you most businesses,  
21 small especially hire people who look like  
22 themselves. So, if you're not giving people of  
23 color a chance to create these businesses you're  
24 adding to your unemployment, you're simply adding  
25 to it. Now I didn't create that problem but it is

1  
2 real, we have to keep the context that New York  
3 City is a, a so called majority minority city. If  
4 we were talking of a different land we should be  
5 happy about, I've heard figures tossed about, I've  
6 heard five percent, 17 percent, six percent, we  
7 couldn't get a real figure here. We should be happy  
8 about that if the people of color and women were  
9 only 17 percent or less of the population then we  
10 should say we're making progress, we're doing great  
11 things but if you're talking about 65 percent of  
12 the population and we're arguing is it really 11  
13 percent or is 12 percent or is it five percent or  
14 could be three percent then there's something  
15 wrong. In a fair society if you had 65 percent you  
16 would expect 65 percent of the contracts. In a less  
17 than fair society you would expect 40 percent and  
18 keep going until we get the numbers that we have.  
19 There's something fundamentally wrong here and yes,  
20 yes collect the data but if we do not enforce these  
21 goals we're... it doesn't matter what data you  
22 collect. It doesn't matter if you collect every  
23 single soul that was or, or has a job or, or  
24 whatever if you're not going to enforce it then all  
25 you'll do is make a list of the unpardonables if

1  
2 you wish. Now a Haitian saying is... has it that fish  
3 rot at... from the head which means that we have to...  
4 we, we are the heads my friends, the city council,  
5 this a bicameral body. the city council is a head  
6 too that we need to... we... I have to remember that  
7 I'm not... I'm on this side and not that side, get a  
8 little confused but I'll use it, we need to take  
9 this serious and we need to say you know what when  
10 it comes to, to statistics we will remember things.  
11 We will remember the, the philosopher Disraeli who  
12 warned you that there were three type of lies,  
13 lies, damned lies and statistics. And if we get  
14 caught up into the weeds of is it 16 percent, 16.5,  
15 50 all of that stuff and we fail to see... just use  
16 your eyes. You see who's working in these  
17 communities and you see who's not just use...  
18 whenever they go high and they get all  
19 sophisticated just go low on them, football again  
20 they go high, you hit them low. Go low on it and  
21 look to see who is working and how do the  
22 communities look, are they looking.. are they  
23 starting to become enriched or are they looking  
24 shabby. If you just use your eyes there. Now there  
25 are things that we can do and I'm actually working

1  
2 on it with others but I'm not alone. The, the stuff  
3 that the, the, the... I'm sorry, the bills that have  
4 been advocated by my, by my far better qualified  
5 than I people are... is... are great. These are good  
6 things, if I were a Council Person I would  
7 immediately take them, I would already have my name  
8 on it before, before this session is up I would  
9 have that. I would, I would have nothing against  
10 what, what you're saying sir, I'd be on that too  
11 but I would take all of these things. There are  
12 other things that can be done and perhaps in  
13 question we will go to that but... and I'm talking  
14 about concrete ways that we can make a difference  
15 here but it's not simply data collection and you do  
16 have to include the EDC in this because half... just  
17 about half of the budget is in the EDC and it... so  
18 your numbers as meager as we sounding but if you  
19 include them you're now miniscule, its... it gets  
20 worse but, but the problem is just as bad at the  
21 state if not worse my friends. This is not simply  
22 to, to get on the mayor without the context, it's  
23 an American problem and the state is no... I'm not  
24 here preaching from the state to you when I haven't  
25 done my work there either. There's a whole lot of

1  
2 work that we need to do at the state and it's  
3 unfair to the city when you're using apples and  
4 oranges, you cannot compare the states numbers to  
5 the city's numbers because the state has less  
6 transparency than the city. So therefore, they have  
7 to be looked at by themselves but that's just in  
8 the side. I commend you, I, I start... where I  
9 started I commend you for grappling with an  
10 American dilemma. I also urge you god speed, go for  
11 it because back in Queens where Council Member  
12 Miller and I stem from and other places we have to  
13 walk past the bodies, we are actually walking past  
14 the living dead who deserve better than we're  
15 getting, they deserve to have a chance at America  
16 like everybody else. And that's all we're saying.  
17 America be America for everybody. Thank you...

18 CHAIRPERSON CORNEGY: Thank you senator.  
19 I just want to say I look forward to working with  
20 everyone at that podium to make the necessary  
21 amendments to strengthen this bill.

22 BERTHA LEWIS: And again we have  
23 consulted with several law firms who specialize in  
24 the city charter as well as the state constitution  
25 and adding the amendment that we have proposed to

1  
2 1382 at this point can be absolutely done right now  
3 and there is no legal barrier to that so we can  
4 expand 1382 as, as we also look at getting the past  
5 reports that were supposed to be done from SBS so  
6 that when you amend 1382 you can see what they have  
7 already reported to the mayor and what they have  
8 not and if you do have another hearing the mayor  
9 should be called and ordered to produce the reports  
10 that were made to him.

11 JAMES SANDERS: [off mic] thank you.

12 HAZEL DUKES: I want to concur with  
13 Senator Sanders that I'm not here just for New York  
14 City, my role is the state and most certainly we're  
15 on record at the state level. Same thing last year,  
16 we are waiting for their report, I had not been  
17 before this city council with this before and I  
18 thought it was about time from the 15 branches in  
19 the... of five boroughs of New York City that is  
20 complaining daily as he said men and women come to  
21 these offices daily and say why can't we... and we  
22 had hearings, we have union members here today who  
23 have been union members because they couldn't get  
24 their jobs they didn't pay union dues and so they  
25 are out of work but yet and still we can see the

1  
2 construction works going on in the city, we always  
3 hear about apprenticeship, what about our men and  
4 women who are certified, been certified because  
5 they come from North Carolina and Alabama they know  
6 how to build any damn thing, they built everything  
7 they had and so this is the problem that we're  
8 seeing and that's why we're here today and that's  
9 why we're vehemently opposed to 13... 1382 because we  
10 know, we know, she's absolutely right when I was  
11 told well where are your lawyers, I never... we never  
12 had a lawyer involved in this, it was the economic  
13 development team under direction of Gary Johnson  
14 who put this together but we have had lawyers now  
15 to look at this and there's nothing in here that  
16 violates the city charter. We, we get this done  
17 then they can't come back again and tell you they  
18 coming back, who would not have the demographics  
19 about the community, who wouldn't. it was an insult  
20 for me to sit here and hear some of the things I  
21 heard today, absolutely you said you frustrated I  
22 am more than that, I'm a little angry but I asked  
23 for patience while I was there praying so I would  
24 come and behave like the people I represent.



1  
2 CHAIRPERSON CORNEGY: Well we, we are so  
3 grateful for that and you, and you being here and  
4 we are coming up.. we do have one more panel and I,  
5 I do want to say first of all thank you and that  
6 you know that we will be reaching out.

7 COUNCIL MEMBER MILLER: We, we don't..

8 CHAIRPERSON CORNEGY: We don't,  
9 excellent. That's even better because I have a  
10 three.. have a 3:30 waiting but, but that we do we,  
11 we value everything that was said, that information  
12 I know will be discussed and, and hopefully those  
13 amendment will, will, will take place but I.. you  
14 know I want to add since we've been sitting here  
15 there are two developments that are not even really  
16 up but just going up in, in, in downtown Jamaica  
17 and we were able to get who's on the, the site, how  
18 many folks come from what zip codes, who's pouring  
19 the concrete, local contractors, and who's  
20 supplying the lumber and the electrical local  
21 contractors, who's doing the printing, and what the  
22 wages are. So..

23 HAZEL DUKES: It can be done..

24 CHAIRPERSON CORNEGY: It, it absolutely  
25 can be done that we, we, we want to.. that that's

1  
2 not a indication that we are leaving now, somebody  
3 just lay... turned on the light but... and, and  
4 everybody here wants to be better. The council  
5 certainly wants to get better, its, it is too  
6 important to our collective communities, it is too  
7 important to this city and, and, and it just  
8 cannot... this cannot go on the backs of our  
9 communities that we have to benefit from this as  
10 well and let me just say my concern is senator that  
11 we have one half of DEP's budget, one and a half  
12 billion dollars currently is being spent in  
13 southeast Queens on infrastructures sewers and so  
14 forth. And when you look down and see who's going  
15 in the ground it is not reflective of those  
16 communities, no sir. So we... this information is  
17 critical and it is not incumbent on myself or  
18 Council Member Cornegy or you or any other elect...  
19 Council Member King to have to negotiate in every  
20 community that someone is doing work in... with those  
21 particular companies that's why we need these rules  
22 and policies in place so that companies know when  
23 they are doing business that these are... this is how  
24 you do business in this communities and that, that  
25 owner should not be on... put on individual members

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to do so but while it is then we'll do our due  
diligence in making sure that communities get  
served but I thank you so much for, for, for what  
you do and, and coming out and look forward to  
working with you.

HAZAL DUKES: [off mic] Thank you very  
much.

[background dialogue]

COUNCIL MEMBER MILLER: Is, is... That's  
it?

CHAIRPERSON CORNEGY: That's it...

[background dialogue]

CHAIRPERSON CORNEGY: I want to thank  
everyone for coming out and I thank everyone who  
testified before this committee. I'd like to thank  
my co-chair Robert Cornegy and the Committee on  
Small Business, the members of the Committee on  
Civil Service and Labor with that I call this  
meeting... this hearing adjourned.

[gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date January 27, 2017