

Workforce Primary Strategy 2: Policy



Policy establishes guidance, regulations and requirements which set the standard and the tone for what is encouraged, required or prohibited. Policy changes can be implemented at a variety of levels, some internal to a government agency, some specific to a project or program and some applicable to the entire geographic jurisdiction. The development and implementation of policies to protect and uplift workers, ensure underserved communities are engaged and that economic mobility is supported are not only aligned with the spirit of BIL and IRA investments but specifically encouraged or required, such as the use of PLAs for large projects. Inclusion of policy work in city proposals or plans will demonstrate alignment with the goals of the federal investments and signal readiness to receive and steward such funding to maximize transformational impact. Such policies will also position city leadership to transform funding sources beyond the scope of BIL or IRA investments and send a clear message to constituents about the value placed on creating good jobs for all citizens, far beyond the timeframe of even the existing federal investments.

Key Features

Policies can be used in two primary ways for this work:

- **Program/Contract Level Policies:** Formalized processes and procedures dictating how funds are used, who is eligible for the program, how the program operates, vendor compliance guidelines, funding stream requirements and other formalized rules, regulations and priorities influencing a specific program. These policies are often contained in program handbooks, formal guidance, directive letters, contracts and other program-specific documents. Examples include project labor agreements, local-hire requirements or community-based agreements that are established between a particular vendor or employer and a community or government for the purposes of completing a specific project. Government may be a party to the PLA, may require the use of a PLA in order to receive the funding, or may simply help to create the necessary space for such conversations.
- **Jurisdiction Policies:** Laws, ordinances, regulations and other policy tools that may impact all of the people living or organizations operating in the community. Examples might include citywide living wage policies or safety standards.

Policy includes seven core substrategies. Use the links below to jump directly to the strategy of interest.

Program Design Substrategies		
2a - Living Wage/Prevailing Wage	Prevailing wage is the average wage paid to workers in a certain occupation within a specific geographic area. Used to promote fair compensation and prevent undercutting by bidders. Living wage or self-sufficiency wage focus on the cost of living in a geography in order to afford basic needs and the family size. Both are usually higher than minimum wages in a given geographic area.	JQ Principle: Earnings

Program Design Substrategies, cont.		
<u>2b - Scheduling</u>	Outlines guidelines for stable, predictable schedules such as notification periods for schedule changes and on-call practices.	JQ Principle: Schedules
<u>2c - Local Hire</u>	Encourage or require businesses, often those that receive public funding, to recruit and hire workers or apprentices from a specific geographic area in order to boost the local economy, provide work opportunities for unemployed and underserved individuals, and demonstrate benefits to the taxpayers who are funding the work.	JQ Principle: Earnings
<u>2d - Safety Standards</u>	Established to minimize risks associated with various activities, products or processes and to protect the workers who perform them from harm.	JQ Principle: Safety and Security
<u>2e - Project Labor Agreements</u>	Pre-hire collective bargaining agreements that establish the terms of employment, often including wage, schedules and leave.	JQ Principle: Earnings, Safety and Security
<u>2f - Community Benefits Agreements</u>	Negotiated between a developer and a group of community organizations, sometimes including the local government, to ensure that the project benefits the local community directly as well as the developer.	JQ Principle: Earnings, Safety and Security
<u>2g - Responsible Bidder</u>	Ensure that the chosen contractor possesses the necessary qualifications and capabilities to successfully complete the project such as financial stability, safety and security standards, business ethics and compliance.	JQ Principle: Safety and Security

Cities can use their BIL or IRA proposals, and the corresponding awards, to help drive policies in four key ways:

- **Passing Citywide Policies:** Setting the tone for job quality across the community and leading by example through the implementation of citywide requirements on wage, schedule, local hire or more. Sometimes policies are passed for the whole geography and sometimes they differ by industry or sector (e.g., construction, healthcare, food services).
- **Requiring Employer Level Policies through Procurement or Licensing Processes:** Embedding requirements into the proposal process as a minimum requirement for award of BIL or IRA funding or as a reporting requirement associated with obtaining a business license.
- **Creating Incentives for the Implementation of Employer Level Policies:** Incorporating priority points, reduced compliance requirements, tax incentives or other benefits into proposal processes for recipients of BIL or IRA funds who implement, adhere to and report on such policies.
- **Creating Space or Facilitating Dialogues on Such Policies:** This includes raising the awareness of local employers around how such policies can be created and used as a mechanism to inform their recruiting and retention efforts. This can also include partnership with unions on messaging to employers around the attraction, retention and productivity benefits of good policy. Finally, this may include educating workers on their rights under existing policies as well as how to use organizing to facilitate or encourage the establishment of new policies.

2a - Living Wage/Prevailing Wage

There are three common types of designations, beyond minimum wage, that are used to understand and standardize discussions of earnings for the purpose of determining job quality and economic mobility. Cities can utilize the BIL and IRA funding opportunities to raise the bar on earnings, particularly for unserved communities, by not only committing to enforce the required Davis-Bacon Act on BIL-funded initiatives but by committing to implement broader project- or locality-based living wage policies that will raise standards for other industries and provide workers with pathways out of poverty.

Tracking the number of individuals placed into living wage, prevailing wage or self-sufficiency wage jobs, as well as those jobs covered by unions or bargaining agreements, can provide cities insights into the job quality impact that BIL and IRA programs are having in the community.

Prevailing Wage	Average wage paid to qualified workers in a specific job category within a particular geographic area. Oriented toward ensuring fairness in compensation within a specific job market. Mandated for many government construction projects under the Davis-Bacon Act . Most construction projects funded or assisted by the BIL will be subject to Davis-Bacon Act prevailing wage standards .
Living Wage	Hourly or annual wage needed by a single adult or family to afford basic necessities in a particular location. These necessities typically include housing, food, transportation, childcare, healthcare and other essential expenses. A living wage is one of the commitments in the Department of Labor's Good Jobs Principles . Calculators such as MIT's Living Wage Calculator are generally used to determine the wage for an area. Some agencies have begun to adopt the living wage as a standard for training programs through localized job quality definitions.
Self-Sufficiency Wage	The hourly or annual wage needed by a single adult or family to achieve economic self-sufficiency. This goes beyond just meeting basic needs and might include additional factors like savings for emergencies and unforeseen expenses, educational opportunities or skill development, and a modest level of discretionary spending for entertainment or leisure activities. Calculators such as the University of Washington's Self-Sufficiency Standard are commonly used. Some workforce boards have begun using this as a tool to educate workers such as Seattle King County .

Such wage policies are crucial to successfully:

- **Attract and Retain Talent:** Living standards enable businesses working on BIL and IRA projects to attract a wider pool of qualified workers, including those who might not have considered these jobs due to low pay, ultimately leading to a more competitive and productive workforce while advancing the administration's commitment to underserved populations.
- **Support Local Economies:** When workers earn living wages, they have more disposable income to spend in their communities, boosting local economies and creating a ripple effect of economic growth. Cities are also better positioned to attract new residents to the local areas when they can demonstrate that living wage jobs are available to residents.
- **Improve Health Outcomes for Diverse Populations:** Living wages and benefits can make it possible for individuals to access healthcare, live in safe neighborhoods and place their children in reliable care, which can reduce burden on community services and government subsidies over time.

Living Wage Policy Examples

[Minneapolis, MN: Minimum Wage Ordinance](#) ↗

The required minimum wage rate increases to \$15 and then continues increasing yearly on January 1 starting in 2023 to account for inflation (capped at 2.5%). “Small businesses”—those averaging 100 or fewer workers—have more time to adjust to a higher wage, with increases in July 2023 and July 2024.

[Bloomington, IN: Living Wage Ordinance](#) ↗

Bloomington's Living Wage Ordinance went into effect on January 1, 2006, and requires covered employers to pay covered employees a living wage. In 2022 the living wage rate was \$14.01 an hour, of which up to \$2.10 (15%) may be in the form of health insurance available to the covered employee. In 2023, it was set to \$15.29 an hour, of which \$2.29 may be in form of health insurance to the covered employee.

[Flagstaff, AZ: Minimum Wage Act](#) ↗

At the 2016 General Election, the people of Flagstaff passed Proposition 414, “[The Minimum Wage Act](#),” with the goal of providing a livable minimum wage for Flagstaff workers and achieving a \$15 per hour minimum wage in Flagstaff by 2021 through a gradual, phased implementation.

[Howard County, MD: Minimum Wage Increase](#) ↗

Introduced by the Howard County Council in November 2021 and signed by Howard County Executive on December 13, 2021, [Council Bill No. 82-2021](#) establishes a series of [local minimum wage increases](#) for employees working in Howard County beginning April 1, 2022. This bill calls for the minimum wage in Howard County to gradually rise to \$16 per hour by January 1, 2026, with increases set after that by the Consumer Price Index for All Urban Consumers (CPI-U) starting in January 2027.

[Shelby County, TN: Living Wage for County Employees](#) ↗

The Shelby County Commission approved an ordinance that requires the county to pay its employees a minimum of \$15 per hour starting in January 2019. The commission also approved a resolution that asks Shelby County Schools to conduct a salary study of their employees who make less than \$15 an hour. In doing so, they would consider an employee’s experience to determine if a raise is warranted.

2b - Scheduling

Stable and predictable scheduling policies can significantly benefit workers, especially those from underrepresented groups who are often in fields subject to occupational segregation with limited space for worker voice, and can be used alongside BIL or IRA funding to promote equity and inclusion in the workforce. Cities should emphasize the development or passage of stable scheduling policies as part of their submission, using it as a mechanism to attract and retain a diverse workforce in their local area, as well as promote long-term economic development. To date, scheduling laws have often been instituted to address issues in the retail, hospitality or gig work space but as new climate and infrastructure roles evolve, scheduling protections will also be crucial to protect workers who are in non-union roles, independent contractors, part time workers as well as immigrants and refugees.

Scheduling may be included in PLAs or issued separately. Compliance with such policies can be used either as an incentive, with additional points being awarded, or a requirement for the deployment of BIL and IRA funds through local procurement processes. By offering predictable schedules, businesses involved in BIL or IRA projects can attract a wider range of candidates, including those who may have previously been discouraged by unstable work hours. Predictable schedules also encourage employees to invest in skill development and build long-term careers in infrastructure-related fields, fostering a more inclusive and skilled workforce. Finally, cities can infuse predictable scheduling requirements or incentives into job training and apprenticeships, attracting a more diverse pool of trainees. Benefits based on the focus of BIL and IRA include:

- **Work-Life Balance:** Predictable schedules allow employees to plan childcare, eldercare, education, and other responsibilities, making work more accessible for single parents, caregivers and those pursuing education. This can particularly benefit women and minorities who are often disproportionately burdened by these responsibilities.
- **Reduced Stress and Improved Health:** Unpredictable schedules can be a major source of stress, leading to health problems. Stable schedules promote better physical and mental health for all employees.
- **Reduced Absenteeism:** When employees know their schedules in advance, they are less likely to miss work due to medical appointments, childcare or eldercare conflicts or needing to arrange last-minute coverage.
- **Increased Employee Retention:** Predictable schedules can improve employee satisfaction and loyalty, leading to lower turnover and a more stable workforce. This is especially important in attracting and retaining talent from diverse backgrounds.

Scheduling Policy Examples

Berkeley, CA: Fair Week Ordinance [↗](#)

This ordinance was adopted to ensure workers are able to have some predictability in their schedules, avoid shifts that cause exhaustion, and attain some balance in their lives. It also puts into place fair scheduling practices, including two weeks' notice of work schedules and predictability pay for last-minute scheduling changes, allows employees to decline back-to-back shifts without adequate rest, and requires employers to offer any additional hours that become available to existing part-time employees.

Evanston, IL: Evanston Fair Workweek Ordinance ↗

City Council passed a [Fair Workweek Ordinance 24-O-23](#), which requires employers in certain industries to give their employees more predictability in their schedules and additional access to hours. The ordinance initially went into effect on September 1, 2023.

Seattle, WA: Secure Scheduling Ordinance ↗

This law applies to retail and food service establishments with 500 or more employees worldwide. Food establishments include but are not limited to full-service restaurants and limited-service restaurants. This law applies to employees who are covered by Seattle's Minimum Wage Ordinance, who work at a fixed, point of sale location, and who work at a Seattle location for at least 50% of their work time.

Philadelphia, PA: Fair Workweek Employment Standards Ordinance ↗

[The Fair Workweek Law](#) requires covered employers to provide service, retail and hospitality workers with a predictable work schedule. It also requires good faith estimates and 14 days advance notice of schedule, along with other protections. Covered employers include those with 250 or more employees worldwide and 30 or more locations worldwide, including chain establishments and franchises.

2c - Local Hire

Local hire policies prioritize hiring workers who live in the communities where infrastructure and climate projects are taking place to ensure underserved communities are participating in the benefits of the BIL and IRA investments. Such locally focused policies reduce barriers to entry by creating pathways for residents who might not have the traditional qualifications, reducing commuting distances and ensuring that a greater number of the workers have an understanding of the community's needs and challenges. The American Rescue Plan Act (ARP) investments set the stage for this as the [U.S. Department of the Treasury issued implementation regulations](#) encouraging the use of local hire policies on ARP funding for water, sewer and broadband infrastructure projects as a way to advance effective, efficient delivery of high-quality services. Additionally, the [Department of Transportation](#) encourages local hiring policies for construction policies funded by federal dollars.

Cities should use their pursuit of funds as an opportunity to maximize local impact by designating proposed funding to the development of local training and apprenticeship programs with and for the community so that the local workforce is qualified to participate in BIL projects once awarded. Cities can also build targeted outreach into their proposal, which includes active outreach to local schools, job training centers and community centers to promote BIL job opportunities and the benefit that local hire policies provide.

Common characteristics of local hire policies beyond geography include:

- A dollar-amount minimum for their local or economic hiring provisions.
- Provisions for apprenticeship programs such as labor hour targets.
- Economic conditions for geographic areas such as those below the poverty level.

Local Hire Examples

New Orleans, LA: Hire NOLA ↗

Hire NOLA is a mechanism to link employment opportunities created by city construction contracts and economic development projects to a qualified local workforce. The policy requires prime and sub contractors to demonstrate efforts to cause the following: at least 40 percent of work hours completed by local workers; 20 percent of work hours completed by disadvantaged local workers and; 20 percent of designated apprentice work hours to be completed by disadvantaged local workers.

Milwaukee, WI: Residents Preference Program (RPP) ↗

The City of Milwaukee helps underemployed and unemployed residents gain access to employment opportunities through its Residents Preference Program. This certification is designed to promote the use of residents as part of a contractor's/developer's workforce on city-funded construction and private projects. Contractors bidding on public works and development projects financed with public tax dollars must hire a percentage of RPP-certified Milwaukee residents to work on those projects.

Springfield, MA: Responsible Employment Ordinance ↗

Springfield City Council approved the Responsible Employer Program, [an ordinance](#) that requires contractors for public construction projects to meet its minimum hiring requirements by prioritizing women, minorities, veterans, and city residents. Construction projects that fall under this ordinance must exceed \$500,000.

Boston, MA: Boston Residents Jobs Policy ↗

The Boston Residents Jobs Policy (BRJP) office monitors the compliance of developers and contractors on private and public development projects in the City of Boston. The ordinance and the mayor's executive order established the [Boston Employment Commission \(BEC\)](#) as the liaison committee to make recommendations to the BRJP and BPDA regarding enforcement of the ordinance.

Washington, DC: First Source Employment Agreement ↗

The [First Source Employment Program](#) has been an important part of the District of Columbia's strategy to reduce unemployment in the city. First Source ensures that city residents are given priority for new jobs created by municipal financing and development programs. This law requires all beneficiaries of contractual agreements totaling \$300,000 or more to enter into a [First Source Employment Agreement](#) with the Department of Employment Services.

See [examples](#) of other states with local hiring practices from the Department of Transportation.

2d - Safety Standards

Strong safety standards and policies can significantly advance equity and inclusion in the workforce by protecting vulnerable workers. Minorities and immigrants are often overrepresented in high-risk construction jobs. Robust safety standards and policies help protect all workers from job-related injuries and fatalities, ensuring a more equitable work environment. When workers feel safe on the job, they are more likely to experience less stress and anxiety, leading to improved morale and potentially higher productivity.

While construction projects funded by the BIL must comply with all existing federal safety standards enforced by OSHA, cities have an opportunity to take this to the next level through the passage of additional safety guidelines localitywide or by embedding safety standards into competitive procurement processes and negotiations with vendors. Cities should articulate a plan to incentivize contractors to prioritize safety by rewarding those with strong safety records in the bidding process and penalizing those with violations through targeted enforcement actions. Additionally, cities can include in the design of their workforce training programs education such as hazard identification, safe work practices, and proper use of personal protective equipment (PPE). Common areas of focus for safety include:¹

- Breaks and schedules
- Sickiness and disease
- Weather / heat
- Fall protection (scaffolds, ladders, roof work)
- Trenching and excavation safety
- Electrical safety
- Confined space entry
- PPE
- Hazard communication
- Construction site housekeeping
- Tools and equipment safety
- Fire protection and prevention

However, in order to advance BIL commitments to equity and underserved communities, cities should also be mindful of a) cultural differences that might impact worker safety perceptions or behaviors; b) the availability of multilingual training to ensure that safety is understood; and c) possible inclusion of antiracism, unconscious bias and the creation of welcoming spaces to address workers' emotional safety.

Safety Standards Examples

Austin, TX: City of Austin Rest Break Ordinance ↗

All employees performing construction activities at a construction site are entitled to a rest break of no less than 10 minutes for every four hours worked by City Council resolution (Ordinance [No. 20100729-047](#)). The ordinance also requires that the employer post a sign in a conspicuous location describing [Rest Break requirements](#) in English and Spanish.

Laurel, MT: Safety Policy ↗

It is the policy of the City of Laurel to provide and maintain safe and healthful working conditions, routine safety training and education, and to follow practices that will safeguard all employees and result in safe working conditions and efficient operation.

¹ Based on information from National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI) and American Society of Civil Engineers (ASCE) which publish relevant safety standards.

Phoenix, AZ: Worker Heat Protection Ordinance for City Contractors ↗

The Phoenix City ordinance requires all city contractors and subcontractors to develop [heat safety plans](#). The legislation mandates employers provide cold, clean and free drinking water on worksites; allow workers to take breaks; provide access to shade or air conditioning; and, by May 1, 2025, supply air conditioning in enclosed cabs, according to council documents.

Boston, MA: Safe Construction and Demolition Operations Ordinance ↗

Boston has implemented the [Safe Construction and Demolition Operations Ordinance](#). The ordinance builds on the city's goal of ensuring that all construction and demolition operations in Boston are conducted in a manner that protects the health, welfare and safety of workers and the public.

2e - Project Labor Agreements

PLAs can promote stable labor relations by fostering cooperation between unions and contractors, which can lead to smoother project execution and completion. This benefits both workers and the overall success of BIL projects. Some PLAs may incorporate aspects of community benefits agreements or local hire agreements (discussed elsewhere in this section), ensuring that a portion of the project's workforce comes from the local community in order to advance hyper-local economic development and create a stronger sense of buy-in for the project.

Cities should consider PLAs as an important mechanism to advance job quality, such as living wage thresholds and equity commitments through targeted hiring goals for women, minorities, veterans and apprentices, which will create a more diverse workforce on construction projects. Cities should also use PLAs to require clear procedures for resolving workplace disputes, which can help protect workers from discrimination or unfair treatment, particularly when paired with other employer training as well as the use of enforcement mechanisms, when needed. PLAs should be incentivized or required through grant or purchasing processes and can also be embedded in training programs by including provisions for pre-apprenticeship programs or skills training, helping underrepresented groups gain the qualifications needed for construction jobs. Additionally, cities can consider tracking the number of placements into jobs covered by PLAs or CBAs as a part of their job quality indicators, in addition to wage or union participation.

Project Labor Agreement Examples

Linn County, IA: Linn County and AFSCME ↗

Linn County, Iowa, established several agreements with the American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO Local 231. These agreements are effective July 1, 2021 through June 30, 2026 and include: [Clerical Bargaining Unit](#), [Para Professional Bargaining Unit](#), [Maintenance Bargaining Unit](#), and [Professional Bargaining Unit](#).

King County, WA: Expansion Project ↗

As Link light rail extends to Lynnwood, the Lynnwood Link Connections mobility project will address changing transit needs and improve mobility options for communities in northwest King County and southwest Snohomish County. Metro is working with [Sound Transit](#) and [Community Transit](#), among other partners, to coordinate bus routes based on feedback from communities.

National City, CA: Project Labor Agreement ↗

On November 7, 2023, the City Council of National City entered into a Project Labor Agreement (PLA) with the San Diego Building and Construction Trades Council and Associated Craft Unions. Effective December 14, 2023, the [PLA](#) will be applicable to public projects with a construction value of at least \$1 million.

Cedar Rapids, IA: Collective Bargaining Agreements ↗

The City of Cedar Rapids maintains eight collective bargaining agreements and assists departments in ensuring consistency and fair application of the various articles within each contract, disciplinary matters and grievance issues. These agreements include: [Cedar Rapids Police Bargaining Union \(Police\)](#), [Cedar Rapids Bars and Stripes Association \(Sergeants\)](#), [Chauffeurs, Teamsters, and Helpers \(Joint Communications - Local 238\)](#).

New Orleans, LA: Louisiana International Terminal Project ↗

To meet the industry's growing needs, the Port of New Orleans is investing in a new \$1.8 billion container terminal project—[The Louisiana International Terminal](#). The [proposed terminal](#) will serve vessels of all sizes, providing goods to support Louisiana's homes and businesses. This modern maritime gateway will also create family-supporting jobs, generate new opportunities throughout the state, and keep Louisiana competitive.

2f - Community Benefits Agreements

As the concept of agreements between the developer, the community and the government evolves, community benefits approaches are taking a number of different formats. Some are legally enforceable, others serve more as a directional signal or conversation space that demonstrates mutual commitments and understanding between parties.

Community Benefits Agreements can be incorporated into infrastructure agreements in a [number of ways](#) and can be tailored to meet a community's needs. Some federal agencies have decided to require or encourage one or more of these tools as part of the implementation of their grants. For example, the Department of Energy requires [Community Benefits Plans \(CBPs\)](#) similar to CBAs for certain BIL-funded projects, though not necessarily legally binding like CBA. These plans encourage hiring from disadvantaged communities, investing in local businesses and promoting other community benefits. The EPA website on [Brownfield Remediation](#) also mentions community outreach as a key component, and this could be indirectly tied to the promotion of local hiring through Community Benefits Agreements. Many of the other grants encourage a focus on equity and community involvement, which can be achieved through the use of such agreements. Similar to PLAs, cities can consider tracking the number of placements into jobs covered by CBAs as job quality indicators alongside other factors such as benefits or living wages.

Cities can include the proposed use of CBA, CBP and CWA in their BIL grant plans and proposals. Implementation can be best achieved through either the use of incentives or requirements as part of subsequent procurement processes post grant award.

Feature	Community Benefits Agreement (CBA)	Community Benefits Plan (CBP)	Community Workforce Agreement (CWA)
Legal Status	Legally binding contract	Non-binding agreement	Non-binding agreement
Enforcement	Enforceable in court	Not enforceable	Not enforceable
Focus	Specific, negotiated benefits	Community priorities & commitments	Workforce development & training
Parties Involved	Developer & community coalition	Developer & community	Developer, unions & workers

Community Benefits Agreements Examples

See [example IRA and Bil projects](#) here that could include a CBA, as well as details on CBAs that are in place on existing infrastructure projects.

Nashville, TN: Fairgrounds Infrastructure Project [↗](#)

This project involves modifications and enhancements to the fairgrounds campus with the goal of improving quality of life for members of the surrounding communities, increasing economic activity and creating a more sustainable environment. The improvements have resulted in a more vibrant and active fairgrounds campus, connecting and uniting the surrounding neighborhoods rather than limiting them to the perimeter of the site. This improved connectivity also links points of interest in the area surrounding the fairgrounds, including schools, churches and small businesses.

Cincinnati, OH: TQL Stadium ↗

FC Cincinnati (FCC) requests a major amendment to the [Concept Plan and Development Program Statement](#) to expand the Planned Development boundary north to include additional privately owned properties for the planning and construction of a new mixed-use development. FCC and its partners will develop an approximate 8-acre site north of TQL Stadium into a mixed-use district. [The development](#) will accommodate a [variety of amenities](#) and uses with its heart being the central event plaza.

Portland, OR: Prosper Portland ↗

[The Broadway Corridor](#) is an [urban development project](#) which will change Portland's downtown landscape, knit the city together, attract regional, national and international media attention, and catalyze significant private investments. It's envisioned as a unique, diverse, vibrant, sustainable, mixed-use, dense urban district seamlessly integrated with a regional multi-modal transportation hub.

Ripley, NY: Community Agreement for the South Ripley Solar Project ↗

The [South Ripley Solar Project](#) will bring long-term economic growth to the Town of Ripley and the Sherman and Ripley School Districts through a host community and a PILOT tax agreement. The tax payments from the project will provide the Town of Ripley with annual payments equivalent to more than 70 percent of the town's property tax levy.

Seattle, WA: Yesler Terrace Redevelopment ↗

Seattle Housing Authority has spent more than a decade revitalizing the city's stock of public housing, including the development of mixed-income communities which recently included [Yesler Terrace](#). The agency is also renovating existing [housing](#) to ensure its availability to low-income residents for decades.

2g - Responsible Bidder

Responsible bidder practices can establish criteria that go beyond just the lowest bid, encouraging best value considerations, as well as participation from qualified small, minority-owned and disadvantaged businesses that might not have the same resources, influence or connections as larger companies. They can help to increase vendor diversity, as well as highlight areas where the city may need to invest in growing or educating the field. On a practical level, a responsible bidder policy can consider a company's safety record, history of paying fair wages, and commitment to hiring a diverse workforce alongside their bid price for a more integrated view of how the organization will support both the federal administration and the local leadership's commitment to underserved areas.

By requiring or incentivizing such a policy, cities can encourage bidders to outline their plans for using local workers and subcontractors, fostering economic development and benefiting the communities where the project takes place. While not required under BIL, such policies are very much in the spirit of advancing equity. In fact, they are specifically encouraged for NEVI projects that prioritize energy efficiency and sustainability.

Responsible Bidder Policy Examples

Philadelphia, PA: Best Value Procurement [↗](#)

The city may now consider more than price when [awarding contracts](#), opening new opportunities for the city and qualified vendors. The city seeks to fulfill at least 35 percent of all for-profit contracts through minority-, woman- or disabled-owned enterprises.

Town of Lowell, IN: Responsible Bidding Practices [↗](#)

The Town Council seeks to enhance its ability to identify responsive and responsible bidders on all Town of Lowell public works construction projects. Applicable state law also requires bidders meet minimum requirements in order to be a responsible bidder.

New York, NY: Responsible Bidding on Public Work [↗](#)

Enforces criteria for bidders on public projects that include labor law compliance and apprenticeship program participation.

Kane County, IL: Responsible Bidder Ordinance [↗](#)

The Kane County Board adopted a measure known as a [Responsible Bidder Ordinance \(RBO\)](#), which is a qualifications-based approach for awarding contracts for county-funded public works projects. The RBO amends the county's purchasing policy to include criteria a contractor must meet in order to be eligible to perform taxpayer-funded work. The requirements cover areas of training, labor and safety.

Elgin, IL: Responsible Bidder Ordinance [↗](#)

The responsible bidder ordinance is an initiative of the Indiana, Illinois and Iowa Foundation for Fair Contracting (Ill FFC), a not-for-profit labor-management organization. The Ill FFC responsible bidder ordinance provides an expanded and detailed definition of what constitutes a responsible bidder by including specific criteria, which must be met by a bidder to be deemed responsible.

Evidence Base for Policy

As cities and states lean in on the use of policy to improve job quality, the evidence base continues to grow. Some studies include:

- [Community Benefits Agreements and Local Government, A Review of Recent Evidence](#) by Laura Wolf-Powers
- [The role of community benefit agreements in natural resource governance and community development: Issues and prospects](#) by Cameron Gunton and Sean Markey
- [Assessing the effectiveness of Impact and Benefit Agreements from the perspective of their Aboriginal signatories](#) by Jason Prno
- [The L.A. Live Community Benefits Agreement: Evaluating the Agreement Results and Shifting Political Power in the City](#) by Leland Saito and Jonathan Truong
- [Best practices for Impact Benefit Agreements](#) by Maggie Cascadden, Thomas Gunton and Murray Rutherford

Embedding Equity in Policy

Local, city policies can get at the heart of voice, equity and power by lifting up the perspectives, ideas and values of those who live, work and raise families in a community.² Too often, racial and class marginalization remove worker's control over outcomes that profoundly shape their lives. The policies discussed above are various ways to recenter the needs of the worker by recognizing and righting power imbalances through policy development. Once implemented such policies can provide the basis on which to direct public sector dollars, signaling what is valued, and to address non-compliance and bad actors through enforcement approaches. However, shifting the centers of power codified in the policies of yesterday requires targeted engagement of community members, as emphasized in BIL. Perspectives must be collected, valued and incorporated with special regard to not "[homogenizing or flattening differences](#) within marginalized groups." Additionally, for policy to achieve buy-in, input should be formulated not from one-time, singular inputs from a single representative, but rather based on enduring institutional channels to support voice.³

² [Government on Workers' Side](#)

³ [Engaging Voice to Support Racially Equitable Policymaking](#)