



Gulf Coast Commission on Reconstruction Equity

April 20, 2006

Laura Auletta, Designated Federal Officer
Acquisition Advisory Panel
1800 F. Street N.W., Room 4006
Washington, D.C. 20405

Sent via e-mail: laura.auletta@gsa.gov

Dear Ms. Auletta:

Interfaith Worker Justice, in partnership with Good Jobs First, convened the Gulf Coast Commission on Reconstruction Equity to examine government contracting and rebuilding efforts after last summer's devastating hurricanes and promote needed reforms. The Commission is composed of national and local faith, labor, legal, academic and community leaders, along with contracting experts (see attached list).

The Commission developed a set of ethical criteria for contracting and government supported economic subsidies that we believe would engender greater efficiency, equity, transparency and accountability in the rebuilding of the Gulf Coast. The attached document constitutes the main body of our public comment to the Panel.

In our analysis of the problems that have been manifest in the contracting process as it relates to the clean-up and rebuilding of the Gulf Coast, we have particularly been struck by the lack of accountability inherent in the multi-leveled sub contracting, a situation in which prime contractors have relinquished responsibilities and workers often cannot accurately identify who their employer is. This situation has been exacerbated by the lack of coordination across government agency lines.

We would like to have an opportunity to testify about these issues and about our suggestions for reform at a future panel meeting or at a meeting of an appropriate Working Group.

Sincerely,

Kim Bobo
Executive Director, Interfaith Worker Justice

Attachments:

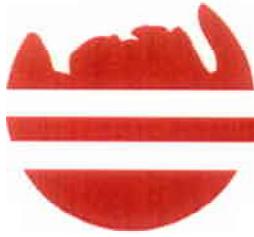
Contracting Criteria
Gulf Coast Commission for Reconstruction Equity



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Gulf Coast Commission on Reconstruction Equity

Commission Members

- **Keith Ashdown**, Vice President for Public Policy, Taxpayers for Common Sense
- **Bill Beardall**, Executive Director, Equal Justice Center, and Director, Transnational Worker Rights Clinic, University of Texas School of Law
- **Clarita Bourque**, Coordinator, Marianite Bi-Water Project
- **Mahdi Bray**, Board Member, Interfaith Worker Justice and Executive Director, Muslim American Society Freedom Foundation
- **Bill Chandler**, President and Executive Director, Mississippi Immigrant Rights Alliance
- **James Carter**, SJ, Former President, Loyola University New Orleans
- **Linda Chavez-Thompson**, Executive Vice President, AFL-CIO
- **Charlie Cray**, Director, Center for Corporate Policy
- **Ramona Edelin**, Vice-Chair, Black Leadership Forum
- **Bill Fletcher Jr.**, President and CEO TransAfrica Forum
- **Bunnatine Greenhouse**, Former Principal Assistant Responsible for Contracting, Army Corps of Engineers
- **Jean Hardisty**, President and Founder, Political Research Associates
- **Damen Hewitt**, Assistant Counsel, NAACP Legal Defense Fund
- **Thomas Hoyt Jr.**, Former President, National Council of Churches USA and Presiding Bishop, Louisiana and Mississippi (District 10) Christian Methodist Episcopal Church
- **Nelson Johnson**, Board President, Interfaith Worker Justice, Vice President, Pulpit Forum of Greenboro and Pastor, Faith Community Church
- **Bill Lucy**, President, Coalition of Black Trade Unionists and President and International Secretary Treasurer, AFSCME
- **George Lundy**, SJ, Pastor, Martin Luther King Catholic Student Center, Southern University
- **Major R. Owens**, Congressman (NY), U.S. House of Representatives
- **Bill Quigley**, Director of the Law Clinic, Loyola Poverty Law Center, New Orleans
- **Mtangulizi Sanyika**, Project Manager, African American Leadership Project and Co-Convener, New Orleans Ward Organization Committee of the Millions More Movement
- **Sidney Shapiro**, University Distinguished Chair in Law, Wake Forest University and Member Scholar, Center for Progressive Reform



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Gulf Coast Commission on Reconstruction Equity

Criteria for Assessing Efficacy of Contracts and Economic Development Subsidies In Gulf Coast Relief, Recovery, and Reconstruction

A. Contracting Standards

1. Fairly solicit and competitively bid contracts.
2. Choose contractors by merit, including evidence of fair labor practices.
3. Award no single contractor more than \$10 million.
4. For no-bid awards, let contracts only after justification is written and accepted.
5. Let no contracts to corporations with a record of waste, fraud, or abuse.
6. Let no contracts to businesses with unjustified, unreasonable, questionable, or unsupported expenditures.
7. Let no contracts to businesses with citations for deficiencies in business systems.
8. Deny contracts to businesses with prior serious violations of the wage and hour provisions of the Fair Labor Standards Act, health and safety violations of the Occupational Safety and Health Act, and collective bargaining violations of the National Labor Relations Act.
9. Require federal contracting agency staff to fully comply with Fair Acquisition Requirements (FAR).
10. Require all prime contractors to publicly report all levels of sub contractors.
11. Prohibit outsourcing of contract oversight activities ("inherently government functions," Subpart 7.5 of Part 7 – FAR) to non-governmental entities.



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B. Economic Development Subsidy Standards

1. Include taxpayer safeguard provisions such as clawbacks (money-back guarantees by contractors to insure work that has been paid for is completed), job quality standards, and transparency.
2. Structure subsidies to serve the public good by primarily helping restore local jobs and family incomes for local residents.

C. Employment and Community Benefits Standards for both Contracts and Subsidies

1. Give preference to local contractors and subcontractors.
2. Give preference to first source hiring of local workers.
3. Help displaced Gulf Coast youth by building in incentives to encourage on-the-job training (OJT) and certified apprenticeship programs.
4. Require payment of prevailing wages.
5. Require fair health care coverage.
6. Require development of and compliance with an Affirmative Action plan.
7. Require and monitor compliance with wage and hour provisions of the Fair Labor Standards Act, health and safety provisions of the Occupational Safety and Health Act, and collective bargaining provisions of the National Labor Relations Act.
8. Include incentives to employers to provide adequate housing for workers¹.

¹ Given extreme shortage of local housing.