

Category: Purchasing

Community Benefits Policy

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Approved by: Choose an item. [Council Resolution #] – [Date]

Administered by: [Division and section]

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Table of Contents

1. Background	2
2. Purpose	2
3. Application and Scope	2
4. Outcomes.....	2
5. Principles.....	3
6. Mandatory Requirements	3
7. Roles and Responsibilities	4
8. Monitoring and Compliance	6
9. Review	7
10. Definitions.....	7
11. References and Resources.....	8
12. Revision History	8
13. Schedule 1	9

1. Background

On August 10, 2022, City Council adopted Motion CW310-2022, directing the City to develop a Community Benefits Policy for construction work tendered by the City. The Community Benefits Policy aligns with and supports the implementation of the City's Sustainable Procurement Strategy. The Sustainable Procurement Strategy provides that "without compromising the City's core commitments to fiscally responsible procurement and to procurement processes that are fair, competitive, transparent, accountable and consistent with legal obligations, the City will use its purchasing power to... support community benefits by supporting diversity, inclusion, and increased opportunity". On March 11, 2020, the City adopted a resolution supporting the call to action of the Truth and Reconciliation Commission and endorsed the United Nations Declaration on the Rights of Indigenous Peoples as the framework for the City of Brampton to work with Indigenous Persons.

2. Purpose

The purpose of the Community Benefits Policy is to leverage the City's procurement of large construction projects to increase training and employment opportunities for Brampton residents and, in particular, for Brampton residents who are members of Equity-Deserving Groups. The Community Benefits Policy also contributes to the City of Brampton's goal of advancing reconciliation with Canada's Indigenous Persons.

3. Application and Scope

The Community Benefits Policy applies to designated construction projects, including optional renewals, with a procurement value of \$5,000,000 or greater. Projects will be designated by the Director of Purchasing, based on the advice of the Community Benefits Administrator, the executing Department, and the Community Benefits Committee. The designation of projects is at the sole discretion of the Director of Purchasing.

The following are the types of construction projects that may be designated if their estimated procurement value is \$5,000,000 or greater, including optional renewals:

- 3.1 The construction or renovation of buildings, including their electrical, plumbing, heating, and cooling systems;
- 3.2 The construction or repair of roads, sidewalks, bridges, and related structures;
- 3.3 The construction or repair of sewers and watermains and other utility installations;
- 3.4 The construction of transit stops and transit rights-of-way; and,
- 3.5 The construction of new parks.

4. Outcomes

- 4.1 The Community Benefits Policy will expand opportunities for training and employment to residents of Brampton and, in particular, to persons from Brampton who are members of Equity-Deserving Groups or groups that have been historically underrepresented in the construction industry. This aligns with the ethical goals of the City's Sustainable Procurement Strategy.
- 4.2 The City will have evidence to assess the outcomes of the Policy through documentation and be better able to measure the social benefits of the City's investments in constructing and maintaining urban infrastructure and amenities. This aligns with the goals of the City's Sustainable Procurement Strategy.
- 4.3 The Community Benefits Policy will better position the City of Brampton to access infrastructure funding from other levels of government that may incorporate equity and inclusion goals into their funding decisions.
- 4.4 The Community Benefits Policy recognizes the equity and inclusion initiatives and practices that many contractors and unions have already implemented and encourages others to implement similar initiatives.

5. Principles

- 5.1 In keeping with the City's Sustainable Procurement Strategy and Supply Chain Diversity Program, the Community Benefits Policy further advances the City's commitment to equity, diversity, and inclusion.
- 5.2 The Community Benefits Policy recognizes and supports construction employers and their unions that proactively encourage diversity, equity and inclusion in their recruitment, training and hiring.
- 5.3 The Community Benefits Policy supports the expansion of training and employment opportunities for Brampton residents and, in particular, for Brampton residents who are members of Equity-Deserving Groups or groups that have been historically under-represented in the construction industry.
- 5.4 Vendors should have flexibility in determining how they will develop their Community Benefits Plan in advancing the goals of the City's Community Benefits Policy.

6. Mandatory Requirements

- 6.1 When a construction project is designated as being covered by the City's Community Benefits Policy, as set out in the Request for Tender (RFT) or Request for Proposal (RFP), responding vendors must include a Community Benefits Plan, as part of their bid or proposal. Guidelines for the preparation of a Community Benefits Plan are set out in Schedule 1. Submission of a proposed Community Benefits Plan is a mandatory requirement when a construction project is designated as a Community Benefits Project. The tender or proposal of a vendor that meets this requirement will be assessed per the existing evaluation criteria for tenders or proposals. Proposed Community Benefits

Plans will not be evaluated or ranked except to determine if they are valid Plans per the Guidelines in Schedule 1.

- 6.2 The successful vendor's Community Benefits Plan, as accepted by the City, will become part of the vendor's contract with the City.
- 6.3 The successful vendor must demonstrate to the City, its best efforts to fulfill the commitments set out in the vendor's Community Benefits Plan by providing a report at the completion of the project or at such other times as required by the City on multi-year projects. Reports will provide the names and Brampton addresses of persons who accessed training or employment opportunities through the outreach activities of the Community Benefits Plan.
- 6.4 The contractor or its union or community partner (where applicable) will obtain prior consent from persons who are offered training or employment opportunities per the Community Benefits Plan to record their names and addresses as beneficiaries, and to make that information available to the City subject to their privacy rights being respected.
- 6.5 If an individual, identified as a beneficiary in accordance with the Community Benefits Plan, either voluntarily leaves their employment or has their employment terminated by the contractor, the contractor is required to promptly notify the Community Benefits Administrator, ensuring compliance with privacy rights.

7. Roles and Responsibilities

- 7.1 The Director of Purchasing will have overall responsibility for the administration of the Community Benefits Policy, including:
 - 7.1.1 Appointing a Community Benefits Administrator. This position may be held concurrently with other work responsibilities
 - 7.1.2 Appointing the Community Benefits Committee;
 - 7.1.3 Ensuring that City staff receive appropriate training in the purposes and administration of the Community Benefits Policy;
 - 7.1.4 After receiving the advice of the Community Benefits Administrator, and the executing department, determining whether a construction project will be designated as a Community Benefits project that is subject to the Community Benefits Policy,
 - 7.1.5 After receiving the advice of the Community Benefits Administrator and the executing department, accepting, on behalf of the City, the vendor's proposed Community Benefits Plan and authorizing the inclusion of the Community Benefits Plan in the vendor's contract with the City;

- 7.1.6 Approving the evaluation by the Community Benefits Administrator of a vendor's performance in meeting its commitments under the Community Benefits Plan;
 - 7.1.7 Preparing an annual report on the administration of the Community Benefits Policy; and,
 - 7.1.8 Recommending to City Council, as appropriate, changes to the Community Benefits Policy.
- 7.2 The Community Benefits Administrator will:
- 7.2.1 Ensure that the City's website includes up-to-date information on the City's Community Benefits Policy, including the guidelines for vendors on the preparation and implementation of a Community Benefits Plan that is compliant with the Policy;
 - 7.2.2 Ensure that all procurements that pertain to designated projects include 'notice' of this in procurement documents. The procurement document will also direct vendors to the relevant pages on the City's website where vendors can find the City's Community Benefits Policy and the guidelines on preparing and implementing a Community Benefits Plan;
 - 7.2.3 Arrange for and coordinate training for City staff in the purposes and administration of the Community Benefits Policy;
 - 7.2.4 Prior to executing a contract, review with the successful vendor and the Operating Department, the vendor's obligations under its Community Benefits Plan;
 - 7.2.5 Finalize with the successful vendor, the wording of the Community Benefits Plan which will form part of the City's contract with the vendor;
 - 7.2.6 Meet with the successful vendor, as appropriate, during the implementation of the Community Benefits Plan to review the vendor's efforts and results;
 - 7.2.7 Respond to any inquiries concerning the Community Benefits Policy;
 - 7.2.8 Receive and review the final report or such other reports as may be required from the vendor on the implementation of the Community Benefits Plan;
 - 7.2.9 Assist the vendor, as appropriate, in collaborating with community-based organizations that serve the residents of Brampton;
 - 7.2.10 Prepare such reports on the administration of the Community Benefits Policy as the Director of Purchasing or City Council may require;
 - 7.2.11 Convene and chair the Community Benefits Committee;

7.2.12 Contact and survey persons identified as beneficiaries of the Community Benefits Plan, as needed, to verify the information in vendors' reports and to evaluate the impact of the Community Benefits Policy,

7.2.13 Prepare for the Director of Purchasing an evaluation of the vendor's performance in meeting its outreach obligations under the Community Benefits Plan; and

7.2.14 Carry out other tasks relevant to the administration of the Community Benefit's Policy as determined by the Director of Purchasing.

7.3 The Community Benefits Committee will comprise:

7.3.1 The Community Benefits Administrator

7.3.2 Representatives from:

- a) Public Works & Engineering;
- b) Legal;
- c) Corporate Support Services;
- d) Community Services; and
- e) Other departments as required.

7.4 The Community Benefits Committee will review the design and administration of the Community Benefits Policy on an annual basis and make such recommendations to the Director of Purchasing as may be appropriate.

8. Monitoring and Compliance

8.1 The Community Benefits Plan constitutes part of a vendor's contract with the City and is therefore subject to all of the compliance and evaluation requirements that apply to such contracts.

8.2 Semi-annual and final reports will be submitted using the specified reporting form. Reports will describe the outreach, recruitment, training and hiring activities undertaken per the Community Benefits Plan. Reports will identify the names of Brampton residents that benefited from this recruitment, training or hiring activities and will describe the outreach activities and any partnerships with unions or community-based organizations or programs.

8.3 The Community Benefits Administrator may at their discretion and in compliance with privacy legislation, contact persons identified in reports as having accessed training or employment opportunities to determine the accuracy of the information provided in the vendor's reports and the long-term impact of the Community Benefits Plan and the Community Benefits Policy.

8.4 The vendor's performance evaluation will include an evaluation of the vendor's implementation of their Community Benefits Plan. A vendor is responsible for

fulfilling the outreach commitments in the Community Benefits Plan and for offering the training or employment opportunities described in that Plan. A vendor is not responsible for ensuring that participants successfully complete training or that they remain in the employment opportunities offered.

- 8.5 From time to time, the City may publicly commend a vendor that has made a significant contribution to the City of Brampton through the implementation of a Community Benefits Plan.

9. Review

- 9.1 Following three years of implementation experience, this Policy will be reviewed by the Community Benefits Committee. The Committee will invite stakeholder input and will also consider whether it may be appropriate to institute targets under the Policy and to expand the scope of application of the Policy.

10. Definitions

- 10.1 **Apprentice and apprenticeship program** – Same definitions as in the *Building Opportunities in the Skilled Trades Act*.
- 10.2 **Construction Industry** – Same definition as construction industry in the *Ontario Labour Relations Act*, i.e., “construction industry” means the businesses that are engaged in constructing, altering, decorating, repairing, or demolishing buildings, structures, roads, sewers, water or gas mains, pipelines, tunnels, bridges, canals, or other works at the site.”
- 10.3 **Employee** – Same definition as in the *Employment Standards Act*.
- 10.4 **Employment** – Refers to a person’s status as an employee.
- 10.5 **Equity-Deserving Groups** – Groups of people who have been historically disadvantaged and/or underrepresented in the construction industry. These include but are not limited to: Indigenous Peoples, women, members of racialized communities, newcomers, 2SLGBTQQIA+ communities, veterans, and persons with disabilities. People may have intersecting identities - belonging to more than one equity-deserving group.
- 10.6 **Training** – Refers to a formal process of instruction with a defined curriculum and explicit learning outcomes. Training does not include informal on-the-job mentoring. Training may pertain to registration in a formal apprenticeship, health and safety training, basic construction skills training.
- 10.7 **Community Benefits Plan** – A formal description of a vendor’s planned activities to conduct community outreach and recruit into training and/or employment, persons from Equity-Deserving Groups and/or groups historically under-represented in the construction industry.

10.8 **Sustainable Procurement Strategy** – The strategy adopted by the City of Brampton per motion CW310-2022 on August 10, 2022.

10.9 **Supply Chain Diversity Program** – The City of Brampton’s program on creating more opportunities through the Invitational Procurement process (\$25,000 to \$100,000) for Equity-Deserving Groups, including social purpose enterprises, to provide goods or services to the City.

11. References and Resources

This Council Policy/Administrative Directive should be read and applied in conjunction with the following references and resources as updated from time to time. Please note that some of the following documents may not be publicly available.

11.1 External references

- [Employment Standards Act, 2000, S.O. 2000, c. 41 \(ontario.ca\)](#)

11.2 References to related bylaws, Council policies, and administrative directives

- [Sustainable Procurement Strategy.pdf \(brampton.ca\)](#)

11.3 References to related corporate-wide procedures, forms, and resources.

- [Vendor Suspension Administrative Directive](#)

12. Revision History

Date	Description
yyyy/mm/dd	Next Scheduled Review (<i>typically three years after approval</i>)

Schedule 1

Guidelines for Preparing A Community Benefits Plan

A vendor's Community Benefits Plan should address the following:

- 1)
 - a. Outreach to Brampton Residents
Describe the outreach activities that will be undertaken to recruit Brampton residents and, in particular, persons from Equity Deserving Groups and groups that have been historically under-represented in the construction industry into training or employment opportunities. The outreach activities may be conducted directly by the vendor, by a union with which the vendor has a collective agreement or by a community-based organization that is acting on behalf of the vendor. Outreach activities may include but are not restricted to:
 - Information meetings
 - Flyers
 - Posters
 - Paid advertising
 - Social media campaigns
 - Presentations to schools or colleges
 - Presentations to community meetings.
 - b. Outreach to Indigenous Persons
In lieu of, or in addition to, outreach to Brampton residents, vendors may undertake targeted outreach activities to Indigenous Persons who may be residents of Brampton or who may live on reserve lands.
- 2)
 - a. Targets: Brampton Residents
Estimate the number of Brampton residents that will be recruited into training or employment opportunities as a result of the outreach activities. It is not necessary that the training or employment opportunities be directly associated with the construction work that is the subject of the tender or proposal. Indicate whether these individuals will be members of Equity Deserving Groups.
 - b. Targets: Indigenous Persons
In lieu of, or in addition to 2 (a) above, estimate the number of Indigenous persons who will be recruited into training or employment opportunities as a result of the outreach activities to Indigenous persons. It is not necessary that the training or employment opportunities be directly associated with the construction work that is the subject of the tender or proposal.

- 3) **Training or Employment Opportunities**
Describe the training or employment opportunities that will be offered to persons who are recruited as a result of the outreach activities described in 1(a) or 1(b) above.
- 4) **Recruitment Form for participants**
The recruiting form used by the contractor or union to register participants in the vendor's Community Benefits Programme should include the following or comparable statement above an individual's signature: "I grant permission to the City of Brampton to contact me to verify the employment or training that I was offered and my current employment status." This allows the vendor to share participants' information with the City.
- 5) **Partnerships**
Describe any collaborations or partnerships in which the vendor will participate with unions, community organizations or Indigenous organizations in implementing the Community Benefits Plan. Partnering organizations may support the Community Benefits Plan's outreach or training activities.
- 6) **Example of Partnership Programs**
Examples of partnership programs that align with the purposes of the Community Benefits Policy include, but are not limited to:
 - Hammerheads, administered by the Central Ontario Building Trades
 - Helmet to Hard Hats administered by the building trades unions to support transitioning veterans and their families.
 - Construction Boot Camp, administered by the CLAC, and
 - Build Together, Women of the Building Trades – administered by Canada's Building Trades Unions.
- 7) **Documentation of Success**
Describe how success will be documented where success means any of:
 - Admission into structured, skills-focused training,
 - Admission into an apprenticeship,
 - Recruitment into union membership and eligibility for dispatch to employment,
 - Recruitment into employment with the vendor,
 - Recruitment into employment with another employer,
 - Other relevant indicators of success.

8) Community Organizations that will assist with Outreach and Engagement

Hammer Heads

Central Ontario Building Trades

Nana Aburam, Hammer Heads Field Representative

Phone: 647-965-4145

Email: naburam@hammerheadsprogram.com

Helmets to Hard Hats

Jim Hogarth, Executive Director

Phone: 613-238 2300 / (Toll Free) 1-855-238-9707

Email: info@helmetstohardhats.ca

United Way Greater Toronto

Community Investment & Development - Inclusive Employment

Fabio Crespin, Senior Manager, Inclusive Employment

Phone: 416-777-1444 ext. 668

Email: fcrespin@uwgt.org

Indus Community Services

Judy Labelle, Director, Newcomer Services

Phone: 905-275-2369 ext. 1240

Email: jlabelle@induscs.ca

9) Indigenous Organizations that will assist with Outreach and Engagement

Aboriginal Apprenticeship Board of Ontario

Valerie Vanderwyk, Executive Director

Phone: 905-746-9642

Email: vvanderwyk@aabo.ca

10) Additional Community and Indigenous Organizations may be included, subject to their agreement.