Declaration Reference and Key Data

Obligation Section Number: 5.06 (a), (b), (c) and (d)
Obligation Title: Affirmative Action Obligations
Obligation Page Number: 50
Obligation Trigger: Issuance of First Demo Permit for the Project
Obligation Start Date: February 4, 2010 (Issuance of First Demo Permit)
Obligation End Date: Project Completion
Obligation Status: In Compliance/Ongoing

Obligation

(a) Construction. (Triggered) During the construction of the project, CU shall at a minimum adhere to ESD’s non-discrimination and affirmative action policies with respect to hiring and contracting, including the goals of 25% MWL business enterprise participation* and 40% MWL workforce participation in construction activities. Where CU’s affirmative action policies with respect to hiring and contracting differ from or exceed ESD’s affirmative action policies, CU shall adhere to the more stringent affirmative action requirements, unless to do so shall directly conflict with applicable law or CU’s obligations under collective bargaining agreements in effect as of the date hereof. CU shall notify ESD of any conflict, if any, promptly and with particularity.

(b) Operation. (Triggered) CU shall make good faith efforts to include MWL business enterprises in all service management agreements, agreements for the purchase of goods and services and other agreements relating to the operation of the Project. CU shall encourage occupancy of the Project's active, ground floor areas by small, non-chain, neighborhood retail businesses that would serve the local community.

(c) Compliance of Contractors and Subcontractors. (Triggered) CU shall cause the Affirmative Action Obligations to be made binding conditions of all contracts entered into by CU or by CU's contractors or agents relating to the construction of the Project.

(d) (Not Triggered) A Successor Interest shall, at a minimum, adhere to ESD’s non-discrimination and affirmative action policies with respect to the obligations set forth in Section 5.06(a), (b) and (c) hereof, and may, at the Successor Interest’s option, adhere to more stringent affirmative action requirements.

*During the course of negotiations related to Columbia University’s construction, CU increased the contracting goal from 25% to good faith efforts toward a goal of 35%. The good faith efforts towards a construction contracting goal of 35% are noted in the Columbia University Facilities (CUF) MWL Policy and relevant sections of the general conditions in the University’s construction contracts.

Evidence of Compliance

1. Link to Columbia University Facilities MWL Policy
2. Link to Columbia University Web Statement on Affirmative Action
4. Manhattanville MWL Workforce and Spending Summary
5. Evidence of efforts to encourage occupancy of ground floor areas by neighborhood retail businesses

Columbia University’s Implementation Plan and all supporting documentation are made available on the Community Services Webpage at http://manhattanville.columbia.edu/community/benefits-and-amenities.
EOC Checklist for Obligation 5.06 (a) (b) and (c):

Please check to verify EOC items submitted for review.

☐ 1. Link to Columbia University Facilities MWL Policy
☐ 2. Link to Columbia University Web Statement on Affirmative Action
☐ 4. Manhattanville MWL Workforce and Spending Summary
☐ 5. Evidence of efforts to encourage occupancy of ground floor areas by neighborhood retail businesses

Monitor’s Notes / Comments:

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Status:
Please check to indicate the status of Obligation 5.06 (a) (b) and (c):

☐ In Compliance
☐ In Progress
☐ Not In Compliance
☐ Not Triggered