From: Phan, Johnny

To: <u>Downtown West Project</u>
Subject: FW: Preliminary Draft - Exl

Subject:FW: Preliminary Draft - Exhibit GDate:Tuesday, April 6, 2021 2:43:17 PM

Attachments: 03.03.2021 - Downtown West DA Local Hire Provision-c.docx

From: Phan, Johnny

Sent: Wednesday, March 3, 2021 6:12 PM **To:** Miller, J. Gregg <gmiller@coblentzlaw.com>

Subject: Preliminary Draft - Exhibit G

Johnny V. Phan

Chief Deputy City Attorney Office of the City Attorney City of San Jose 200 East Santa Clara Street San Jose, CA 95113-1905 Main Ph: (408) 535-1900 Direct No.: (408) 535-1981

Direct No.: (408) 535-198 Fax No. (408) 998-3131

NOTICE TO RECIPIENT: This communication is intended **only** for the person to whom it is addressed, and may be protected by law. If you receive this in error, any review, use, dissemination, distribution, or copying is strictly prohibited. Please notify us immediately of the error and delete this communication and any attached documents from your system. Thank you for your cooperation.

CPRA Confidential Treatment Request

Not for Public Release – CPRA Exempt

Confidential and Proprietary Business / Siting Information

Pre-Decisional Draft – For Review Only

Local Hire Provision

- 1. <u>Project Construction</u>. Developer will include in its construction contracts for all onsite construction a requirement that the contractor or subcontractor shall use Good Faith Efforts to achieve a goal that Local Residents comprise thirty percent (30%) of all new hires for employment opportunities under the applicable construction contract for construction trade positions and entry-level positions related to providing support to the construction industry. This obligation to use Good Faith Efforts shall not limit the ability of a contractor or subcontractor to assess qualifications of prospective workers, to require a contractor or subcontractor to employ a worker not qualified for the position in question, or to employ any particular worker.
- 2. <u>Project Operation</u>. In advance of the issuance of a temporary certificate of occupancy for a commercial office Building in the Project, as long as Google LLC, Alphabet Inc., or any of their affiliate companies occupies commercial office space in the Project during the Term, Google shall use, or cause its affiliate company to use in context to the operation of each commercial office building, Good Faith Efforts:
 - a. to establish a "Local Community Liaison" who will be responsible for connecting primary building operations contractors (e.g. maintenance, janitorial, landscaping, security, and other non college IT roles) with the City's lead Workforce Development Board (e.g. work2future) and other local community based workforce development organizations to ensure qualified residents seeking employment are aware of open positions at the project site and are considered for the open roles;
 - b. to encourage building operations contractors that provide services to Google/affiliate occupied buildings to use their Good Faith Efforts to notify the City's lead Workforce Development Board (e.g. work2future) and other local community based workforce development organizations when the contractor is hiring for positions that service such buildings, and to make Good Faith Efforts to interview and consider referred candidates from the local workforce agencies to with appropriate backgrounds, qualifications, and experience for the open roles;
 - c. to periodically participate in City's lead Workforce Development Board (e.g. work2future) and other local community based workforce development organizations client outreach and recruiting events;
 - d. to host two (2) times per year on a semi-annual basis, a career development workshop or job fair targeted at local economically disadvantaged communities and Underrepresented Workers;
 - e. to have a Google representative serve as a board member on the City's lead Workforce Development Board (e.g. work2future); and
 - f. to collaborate on an annual basis with the Community Stabilization and Opportunity Pathways Fund, and with the City's lead Workforce Development Board (e.g. work2future) and

CPRA Confidential Treatment Request

Not for Public Release – CPRA Exempt

Confidential and Proprietary Business / Siting Information

Pre-Decisional Draft – For Review Only

other local community based workforce development organizations to analyze job types, projections for in-demand roles, and job readiness.