



Rushern L. Baker, III  
County Executive



# Overview of MGM National Harbor Oversight Committee and Compliance Manager Roles and Responsibilities

Presented By:

Roland L. Jones, Chairman  
MGM National Harbor Community Benefits Agreement  
Compliance Oversight Committee

# Purpose of The Community Benefit Agreement (CBA)

- An agreement between Prince George's County and MGM to acknowledge that an economic development goal of the MGM National Harbor Resorts Project is to capitalize on the creation of opportunities for MBE, CMBE, LBE and County residents regarding both construction and operations related to business opportunities and employment related to the Project.
- The Agreement stipulates that the Compliance Manager and the Oversight Committee shall under no circumstances be construed as undertaking supervisory or managerial control of the project. MGM, its employees, agents, contractors or representatives are not limited in anyway from performing work, whether in connection with the development, construction or operation of the Project.

# Business Enterprise Utilization and Employment Goals for the Project

- ***Construction-related Business Opportunities:*** MGM shall use its Best Efforts to cause at least (i) thirty percent (30%) of Total Construction Purchase Value made to MBEs; (ii) twelve percent (12%) of the Total Construction Purchase Value with CMBEs and (iii) sixteen percent (16%) made to LBEs (ensuring at least one-half of such LBE amount be to CBBs).
- ***Construction-related Employment:*** MGM shall use its Best Efforts to cause at least twenty percent (20%) of the total number of hours logged be to County Residents prior to the Public Opening. (MGM acknowledges its aspiration to have thirty percent (30%) County Resident Utilization).

# Business Enterprise Utilization and Employment Goals for the Project (cont.)

- ***Operations-related Business Opportunities:*** MGM shall use its Best Efforts to procure at least twenty percent (20%) of the Total Operational Purchase Value from CMBEs. (MGM acknowledges its aspiration to have thirty percent (30%) utilization from CMBEs and LBEs.)
- ***Operations-related Employment:*** MGM shall use its Best Efforts to cause at least (i) forty percent (40%) during the first and second years following the date of Public Opening; (ii) forty-five percent (45%) during the third and fourth years; and (50%) during the fifth year following Public Opening to utilize County residents. (MGM acknowledges its aspiration to have fifty percent (50%) of all individuals employed by MGM will be County Residents.)

# Role Of The Oversight Committee

- To determine the reporting requirements and monitor and determine compliance with the Business Enterprise Utilization and Employment Goals included in the Community Benefits Agreement.
- The Oversight Committee consists of five (5) members as follows: two (2) individuals appointed by the County Executive; two (2) individuals appointed by the County Council and one (1) individual appointed by MGM. The Committee shall meet regularly at least once each calendar quarter.
- Prior to Public Opening, the Oversight Committee shall meet regularly at least once each calendar quarter with the Compliance Manager to discuss matters brought forth by the Compliance Manager and any other matters deemed appropriate.
- Following, Public Opening, the Oversight Committee shall meet regularly at least once each calendar year.

# Role Of Compliance Manager

- The Compliance Manager is responsible for monitoring the compliance of the Business Enterprise Utilization and Employment Goals included in the Community Benefit Agreement. Accordingly, the Compliance Manager is responsible for the following:
  - Monitor compliance with the MGM Compliance plan;
  - Develop guidelines and protocol in conjunction with MGM necessary to educate subcontractors, vendors and suppliers on what constitutes Best Efforts for MBE and CMBE participation;
  - Maintain a database of MBE, CMBE and LBE firms in order to facilitate MGM's efforts to achieve the Business Enterprise utilization and Employment Goals;
  - Provide information to MBE, CMBE and LBE potential bidders on available assistance and resources regarding financing and bonding;
  - Develop monitoring reports with MGM for both business participation and hiring.

***However, please note the Compliance Manager does not address complaints/grievances related to the Project (i.e. subcontractor disputes, non-payment, misclassification of work, non-utilization, bidding process.)***

# Compliance Manager Updates

- **Official Start Date: 3/16/15**
- **Reviewed MGM Compliance Plan and made recommendations to MGM for improvement such that it could be approved by the Oversight Committee.**
- **Plan approved by Oversight Committee on 3/31/15.**
- **Developed and maintain a database of MBE, CMBE and LBE firms interested in participating in the project.**
  - Combined databases with County Council Compliance Officer
  - Current database lists over 2,500 businesses, collectively as 4/15/15

# Compliance Manager Updates (cont.)

- **Formed strategic partnerships with business and trade organizations including:**
  - Prince George's Chamber of Commerce
  - Capital Region Minority Supplier Development Council
  - Women Presidents Educational Organization
  - Greater Washington Hispanic Chamber of Commerce
  - Associated Builders and Contractors of Metro Washington
  - Prince George's County NAACP



# Compliance Manager Updates (cont.)

- **Member of the MGM/WT Workforce Committee**
  - Work with committee to assure compliance with MGM's employment utilization goals,
  - Assist in outreach efforts to promote awareness of MGM construction and operational employment opportunities.
- **Weekly debriefings with MGM construction and operational procurement staff**
  - Forecasting,
  - Strategic sourcing efforts to support the business utilization goals for the project.