

1 DIVISION OF LABOR STANDARDS ENFORCEMENT  
2 Department of Industrial Relations  
3 State of California  
4 BY: DAVID CROSS, SBN 097203  
5 2031 Howe Avenue, Suite 100  
6 Sacramento, CA 95825  
7 Telephone: (916) 263-2915  
8 Fax: (916) 263-2920  
9 Attorney for the Labor Commissioner

8 **BEFORE THE DIVISION OF LABOR STANDARDS ENFORCEMENT**  
9 **DEPARTMENT OF INDUSTRIAL RELATIONS**  
10 **STATE OF CALIFORNIA**

12 In the matter of the  
13 Debarment Proceeding Against,  
14  
15 DIVERSIFIED BUILDING & ELECTRIC  
16 COMPANY, INC.;;  
17 DENIS ANDREW MARIS,  
18 INDIVIDUALLY AND DOING BUSINESS AS  
19 DIVERSIFIED ELECTRIC COMPANY,  
20  
21 Respondents.

**Case No.: SC 5714**  
**ORDER OF THE LABOR**  
**COMMISSIONER ON**  
**STIPULATION TO DEBARMENT**

- 21 Whereas, Respondents stipulated to debarment as follows:
- 22 1. Respondent Diversified Building & Electric Company, Inc. is a corporation  
23 organized and existing under the laws of the State of California.
  - 24 2. Respondent Denis Andrew Maris is the President of Diversified Building &  
25 Electric Company, Inc.
  - 26 3. Respondent Diversified Electric Company is the holder of California  
27 Contractor's license number 765312.

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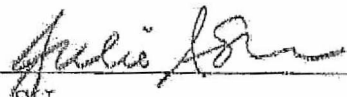
- 4. Respondent Denis Andrew Maris is the sole owner of Diversified Electric Company.
- 5. Respondents entered into the attached Stipulation for Debarment.
- 6. Based on the Stipulation for Debarment, Respondents, and any firm, corporation, or association in which Respondents have any interest as defined in Labor Code section 1777.1(h), or any substantial interest as defined in the California Code of Regulations, Title 8, section 16800, shall be ineligible for a period of eighteen months, effective sixty (60) days following the date of signature of this order, to do either of the following:
  - a. Bid on or be awarded a contract for a public works project as defined by Labor Code sections 1720, 1720.2, and 1720.3; or
  - b. Perform work as a subcontractor on a public works project as defined by Labor Code sections 1720, 1720.2, and 1720.3.
- 7. Respondents shall be allowed to complete the following work:

<u>Project</u>	<u>Completion Date (Est)</u>
Hyde Middle School, Cupertino	September 2015
John Muir Elementary School, Cupertino	February 2016
Woodside Library Renovation, Redwood City	July 2016

This order is effective sixty (60) days after it is signed.

IT IS HEREBY ORDERED.

Dated: 12-15-2015

By: 

JULIE A. SU  
Labor Commissioner and  
Chief of the California Division of  
Labor Standards Enforcement

1 DIVISION OF LABOR STANDARDS ENFORCEMENT  
2 Department of Industrial Relations  
3 State of California

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9 Attorney for the Labor Commissioner

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11

12 **BEFORE THE DIVISION OF LABOR STANDARDS ENFORCEMENT**  
13 **DEPARTMENT OF INDUSTRIAL RELATIONS**  
14 **STATE OF CALIFORNIA**

15 In the matter of the  
16 Debarment Proceeding Against,  
17  
18 **DIVERSIFIED BUILDING & ELECTRIC  
19 COMPANY, INC.; DENIS ANDREW MARIS,  
20 INDIVIDUALLY AND DOING BUSINESS AS  
21 DIVERSIFIED ELECTRIC COMPANY,**  
22  
23 Respondents.

24 **Case No.: SC 5714**  
25 **STIPULATION FOR DEBARMENT**

26 Respondents Diversified Building and Electric Company, Inc.; Denis Andrew Maris,  
27 individually and doing business as Diversified Electric Company stipulate as follows:

- 28 1. Respondent Diversified Building & Electric Company, Inc. is a corporation organized and existing under the laws of the state of California.
2. Respondent Denis Andrew Maris is the President of Diversified Building & Electric Company, Inc.
3. Diversified Electric Company is the holder of California Contractor's license No. 765312.

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- 4. Respondent Denis Andrew Maris is the sole owner of Diversified Electric Company.
- 5. Respondents were served with the attached Statement of Alleged Violations in Debarment proceedings before the Labor Commissioner. The allegations in the Statement of Alleged Violations are incorporated by reference.
- 6. Respondents stipulate to debarment pursuant to Labor Code section 1777.1 (a) for a period of eighteen months, effective sixty (60) days following the filing of the Determination and Order of the Labor Commissioner in this matter. During that eighteen month period, Respondents, and any firm, corporation, partnership, or association in which Respondents have any interest as defined Labor Code section 1777.1(h), or any substantial interest as defined in the California Code of Regulations, Title 8, section 16800, shall be ineligible to do either of the following:
  - a. Bid on or be awarded a contract for a public works project as defined by Labor Code sections 1720, 1720.2, and 1720.3; or
  - b. Perform work as subcontractor on a public works project as defined by Labor Code sections 1720, 1720.2, and 1720.3.

7. Respondents shall be allowed to complete the following work:

<u>Project</u>	<u>Completion Date (Est)</u>
Hyde Middle School, Cupertino	September 2015
John Muir Elementary School, Cupertino	February 2016
Woodside Library Renovation, Redwood City	July 2016

Dated: 8/21/15

Diversified Building & Electric Company, Inc.

By: Denis Maris  
Denis Andrew Maris, President

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Diversified Electric Company

By: Denis Maris

Denis Andrew Maris, sole owner

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2 Department of Industrial Relations  
3 State of California  
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9 Attorney for the Labor Commissioner

8 **BEFORE THE DIVISION OF LABOR STANDARDS ENFORCEMENT**  
9 **DEPARTMENT OF INDUSTRIAL RELATIONS**  
10 **STATE OF CALIFORNIA**

12 In the matter of the  
13 Debarment Proceeding Against,  
14  
15 DIVERSIFIED BUILDING & ELECTRIC  
16 COMPANY, INC.;  
17 DENIS ANDREW MARIS,  
18 INDIVIDUALLY AND DOING BUSINESS AS  
19 DIVERSIFIED ELECTRIC COMPANY,  
20  
21 Respondents.

Case No.: SC 5714

STATEMENT OF ALLEGED  
VIOLATIONS

Hearing Date: February 20, 2015  
Time: 10:00 a.m.  
Hearing Officer: Elliot Beckelman

20 Complainant, as causes for Respondents' debarment pursuant to Labor Code  
21 section 1777.1, alleges:

22 1. Complainant, Julie A. Su, makes and files this statement of alleged  
23 violations in her official capacity as the State Labor Commissioner and Chief of the  
24 Division of Labor Standards Enforcement, Department of Industrial Relations, and not  
25 otherwise.  
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1           2.       Respondent Diversified Building & Electric Company, Inc. was at all  
2 relevant times mentioned a corporation duly organized and existing under and by virtue  
3 of the State of California.

4           3.       Respondent Denis Andrew Maris was at all relevant times mentioned  
5 president of Diversified Building & Electric Company, Inc. and listed as agent for service  
6 of process of Diversified Building & Electric Company, Inc. with the California  
7 Secretary of State.  
8

9           4.       Diversified Electric Company was at all relevant times mentioned a  
10 contractor licensed by with the Contractors State License Board under license number  
11 765312.  
12

13           5.       Respondent Denis Andrew Maris was at all relevant times mentioned  
14 listed as sole owner of Diversified Electric Company with the Contractors State License  
15 Board.

16           6.       Diversified Building & Electric Company, Inc. and Diversified Electric  
17 Company will hereafter be referred to collectively as "Diversified."  
18

19           7.       In performing work as a subcontractor on the Union City Fire Station No.  
20 3 job in Alameda County, California from June, 2008 through June, 2009, pursuant to a  
21 public works project awarded by the City of Union City, Respondents willfully violated  
22 Labor Code section 1774 by willfully misclassifying workers and failing to pay the  
23 prevailing rates to employees, willfully violated Labor Code sections 1773.1 and 1774 by  
24 failing to make required training fund contributions, willfully violated Labor Code  
25 section 1813 by failing to pay the prevailing overtime rate to employees for overtime  
26 hours worked, and willfully violated Labor Code section 1776 by failing to maintain  
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1 accurate certified payrolls. The underpaid wages totaled approximately \$417,214.10. A  
2 Civil Wage and Penalty Assessment was issued for this violation on July 26, 2010.

3 8. In performing work as a subcontractor on the San Jose Fire Station #36  
4 job in Santa Clara, California from May, 2010 through March, 2012, pursuant to a public  
5 works project awarded by the City of San Jose, Respondents willfully violated Labor  
6 Code section 1774 by failing to pay for all hours worked and failing to pay the prevailing  
7 rate to employees, willfully violated Labor Code sections 1773.1 and 1774 by failing to  
8 make required training fund contributions, willfully violated Labor Code section 1813 by  
9 failing to pay the prevailing overtime rate to employees for overtime hours worked, and  
10 willfully violated Labor Code section 1776 by failing to maintain accurate certified  
11 payroll records. The underpaid wages totaled approximately \$226,151.02. A Civil Wage  
12 and Penalty Assessment was issued for this violation on October 11, 2012.

15 9. The violations listed above demonstrate a continued pattern and practice  
16 of falsifying certified payroll records, defrauding employees by failing to pay the  
17 required prevailing wage, and failing to pay required training fund contributions.

18 10. Respondent Denis Andrew Maris knew that Diversified submitted false  
19 certified payroll records as set forth above.

20 11. Respondents committed each of the violations of Labor Codes section  
21 1774, 1776 and 1815 with the intent to defraud the affected employees, the general  
22 contractors, the awarding bodies, and enforcement agencies including the State Labor  
23 Commissioner.

24 12. By having committed the above-described violations, Respondents are  
25 subject to debarment pursuant to Labor Code section 1777.1(a) and (b).

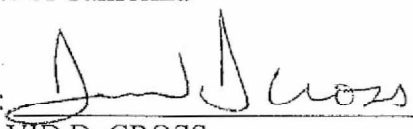
26 WHEREFORE, Complainant prays that Respondents and each of them, and any  
27 firm, corporation, partnership, or association in which Respondents have any interest as  
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1 defined in Labor Code section 1777.1(f), or any substantial interest as defined in the  
2 California Code of Regulations, Title 8, section 16800, be debarred so as to be ineligible  
3 to bid on or be awarded any public works contract, or perform work as a contractor or  
4 subcontractor on a public works project, for a period of three years from the date of the  
5 Determination in this proceeding.

6 Dated: 12/09/14

DIVISION OF LABOR STANDARDS ENFORCEMENT  
Department of Industrial Relations  
State of California

8  
9 By:   
10 DAVID D. CROSS  
11 Attorney for the Labor Commissioner  
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1 CERTIFICATION OF SERVICE  
2 (C.C.P. 1013)

3 In the matter of the DIVERSIFIED BUILDING & ELECTRIC COMPANY, INC.; DENIS  
4 ANDREW MARIS, INDIVIDUALLY AND DOING BUSINESS AS DIVERSIFIED  
5 ELECTRIC COMPANY  
6 Case No: SC 5714

7 I, Ramina German, hereby certify that I am employed in the County of Sacramento, over  
8 18 years of age, not a party to the within action, and that I am employed at and my business  
9 address is: DIVISION OF LABOR STANDARDS ENFORCEMENT, Legal Unit, 2031 Howe  
10 Avenue, Suite 100, Sacramento, California 95825.

11 On December 16, 2015, I served the following documents:

12 ORDER OF THE LABOR COMMISSIONER ON STIPULATION TO DEBARMENT

13 A. First Class Mail - I caused each such envelope, with first-class postage thereon  
14 fully prepaid, to be deposited in a recognized place of deposit of the U.S. mail in Sacramento,  
15 California, for collection and mailing to the office of the addressee on the date shown below  
16 following ordinary business practices.

17 B. By Facsimile Service - I caused a true copy thereof to be transmitted on the date  
18 shown below from telecopier (916) 263-2920 to the telecopier number published for the  
19 addressee.

20 C. By Overnight Delivery - I caused each document identified herein to be picked  
21 up and delivered by Federal Express (FEDEX), for collection and delivery to the addressee on the  
22 date shown below following ordinary business practices.

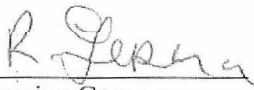
23 D. By Personal Service - I caused, by personally delivering, or causing to be  
24 delivered, a true copy thereof to the person(s) and at the address(es) set forth below.

25

26 A	Jeremy S. Millstone MILLSTONE, PETERSON & WATTS, LLP 2267 Lava Ridge Court, Suite 210 Roseville, CA 95661
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27

28 I declare under penalty of perjury that the foregoing is true and correct. Executed on  
December 16, 2015, at Sacramento, California.

  
Ramina German  
Legal Secretary