

LABOR COMPLIANCE PROGRAM ANNUAL REPORT

Format for Approved Program that contracts with Awarding Bodies to provide labor compliance enforcement

Report for the reporting period 08/01/2009 to 06/30/2010

1. Name of Labor Compliance Program (LCP): Padilla & Associates, Inc.

2. LCP I.D. Number (assigned by DIR): 2003.00331 Date of Initial Approval: August 21, 2003

4. Contact person (include name, title, address, telephone, fax, and e-mail, if available): Patricia Padilla, President Padilla & Associates, Inc. - 183 E. City Place Drive, Santa Ana, CA 92705 Telephone: (714) 973-1335 Fax: (714) 973-1229 ppadilla@padillainc.com

5. List all Awarding Bodies covered by this report as well as any other Awarding Bodies with whom the LCP currently has a contract to provide compliance enforcement. If none, please proceed directly to item 7 and provide all requested information. Then complete the information below, and sign and submit this form to DIR, Office of the Director, Attn: LCP Special Assistant 455 Golden Gate Avenue, 10th Floor, San Francisco, CA 94102. Green Dot Public Schools Oxnard School District South Pasadena Unified School District

What suggestions do you have for the Department of Industrial Relations to better assist you with your program in the coming year? (attach additional sheets if necessary):

SUBMITTED BY: Signature Name and Title Date August 26, 2010

LCP-AR3

6. LC § 1771.5 enforcement activities (provide all information requested, attaching as many sheets as necessary, and *please complete separate forms for each Awarding Body covered in this report.*)

Awarding Body: Green Dot Public Schools

A. List projects handled by LCP within the past 12 months.

Project Name	Bid Advertisement Date	Prime Contractor (Multiple Prime)	Contract Amount
Oscar De La Hoya Animo Charter High School Project (Multiple Prime Project)	November 6, 2007; May 8, 2008	<ol style="list-style-type: none"> 1. Crew, Inc. 2. TB. Penick & Sons, Inc. 3. Adams Iron Co., Inc. 4. Mitsubishi Electric 5. Daart Engineering 6. City Commercial Plumbing 7. Reyes & Sons, Inc. 8. Ramirez Masonry 9. Seeley Brothers 10. Anderson Air Conditioning 11. Best Interiors 12. Best Contracting Services 13. Pro Spectra Contract Flooring 14. Preferred Ceilings 15. Henri Specialties 16. Roy E. Whitehead 17. Sheward & Son & Sons 18. Borbon, Inc. 	<ol style="list-style-type: none"> 1. \$ 247,500.00 2. \$1,419,969.00 3. \$2,205,000.00 4. \$168,000.00 5. \$331,093.00 6. \$709,000.00 7. \$2,930,000.00 8. \$399,972.00 9. \$226,280.00 10. \$1,509,180.00 11. \$2,289,750.00 12. \$779,779.00 13. \$120,877.00 14. \$89,925.00 15. \$131,806.00 16. \$216,000.00 17. \$23,457.00 18. \$283,500.00
Animo Venice Charter High School Project (Multiple Prime Project)	January 3, 2008	<ol style="list-style-type: none"> 1. FM & Sons, Inc. 2. K.A.R. Construction, Inc. 3. Frazier Masonry Corp. 4. Blazing Industrial Steel, Inc. 5. USS Cal Builders, Inc. 6. Commercial Roofing Systems 7. West-Tech Mechanical 8. J. G. Tate Fire Protection 9. HPS Mechanical 10. RA Electric, Inc. 11. United Landscape & Main. 	<ol style="list-style-type: none"> 1. \$438,500.00 2. \$1,767,000.00 3. \$1,139,794.00 4. \$1,729,000.00 5. \$4,723,000.00 6. \$462,520.00 7. \$748,950.00 8. \$161,111.00 9. \$1,051,669.00 10. \$1,230,000.00 11. \$92,646.00
Total			\$ 27,625,278.00

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B. Summary of all wages and penalties assessed and/or recovered.

Project Name	Affected Contractor (who directly employed the worker)	Amount Assessed	Amount Recovered	Approval of Forfeiture Requested from Labor Commissioner?	Description of Violation
Oscar De La Hoya Animo Charter High School Project	GR Engineering, Inc.	\$ 5,701.68	\$ 5,701.68	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Overtime Wage Underpayments
Total		\$ 5,701.68	\$ 5,701.68		

C. For any amount identified in item B for which approval of forfeiture not requested from the Labor Commissioner, please explain below.

Project Name	Amount Assessed	Amount Recovered	Explanation
Oscar De La Hoya Animo Charter High School Project	\$ 5,701.68	\$ 5,701.68	Contractor Voluntary Compliance
Total	\$ 5,701.68	\$ 5,701.68	

D. For any amount identified in item B for which approval of forfeiture was requested from the Labor Commissioner, please provide the following:

Project Name	Amount Assessed			Wages	Total	Amount Recovered			Wages	Total
	LC § 1776(g)	LC § 1775	LC § 1813			LC § 1776(g)	LC § 1775	LC § 1813		
N/A										
Total										

E. Identify cases that are or were the subject of LC § 1742 proceedings.

Project Name	Contractor	Nature of Violation	ODL Case #	Current Status
N/A				

LCP-AR3

F. Did you refer any contractor to the Labor Commissioner for debarment per LC § 1777.1?

Please check one:

Yes No

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: _____

G. Did you refer any apprenticeship violation to the Division of Apprenticeship Standards (DAS)?

Please check one:

Yes No

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: _____

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6. LC § 1771.5 enforcement activities (provide all information requested, attaching as many sheets as necessary, and *please complete separate forms for each Awarding Body covered in this report*).

Awarding Body: Oxnard School District

A. List projects handled by LCP within the past 12 months.

Project Name	Bid Advertisement Date	Prime Contractor	Contract Amount
Juan Soria Elementary School Project	February 20, 2007	Solek Pacific	\$28,000,000.00
Curren P2P; Curren Modernization; Kamala P2P	April 11, 2007	GRD Construction	\$25,028,000.00
Total			\$53,028,000.00

B. Summary of all wages and penalties assessed and/or recovered.

Project Name	Affected Contractor (who directly employed the worker)	Amount Assessed	Amount Recovered	Approval of Forfeiture Requested from Labor Commissioner?	Description of Violation
Juan Soria Elementary School Project	Federal Construction Corporation	\$ 2,428.19	\$ 2,428.19	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Apprentices performed work without supervision of a Journeyman (Restitution paid to affected workers)
Total		\$ 2,428.19	\$ 2,428.19		

C. For any amount identified in item B for which approval of forfeiture not requested from the Labor Commissioner, please explain below.

Project Name	Amount Assessed	Amount Recovered	Explanation
Juan Soria Elementary	\$2,428.19	\$2,428.19	Violation immediately and voluntarily remedied by Contractor upon notification.
Total	\$2,428.19	\$2,428.19	

LCP-ARS

D. For any amount identified in item B for which approval of forfeiture was requested from the Labor Commissioner, please provide the following:

Project Name	Amount Assessed				Wages	Total	Amount Recovered			
	LC §1776(g)	LC § 1775	LC § 1813				LC § 1776(g)	LC § 1775	LC § 1813	Wages
N/A										
Total										

E. Identify cases that are or were the subject of LC § 1742 proceedings.

Project Name	Contractor	Nature of Violation	ODL Case #	Current Status
N/A				

F. Did you refer any contractor to the Labor Commissioner for debarment per LC § 1777.1?

Please check one: Yes No

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: _____

G. Did you refer any apprenticeship violation to the Division of Apprenticeship Standards (DAS)?

Please check one: Yes No

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: _____

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6. LC § 1771.5 enforcement activities (provide all information requested, attaching as many sheets as necessary, and *please complete separate forms for each Awarding Body covered in this report*).

Awarding Body: South Pasadena Unified School District

A. List projects handled by LCP within the past 12 months.

Project Name	Bid Advertisement Date	Prime Contractor (Multiple Prime)	Contract Amount
South Pasadena Middle School Phase III Expansion Project (Multiple Prime Project)	September 23, 2009	<ol style="list-style-type: none"> 1. Western Alta Construction, Inc. 2. Industrial Masonry Inc. 3. J. M. Farman Co., Inc. 4. Recon Inc. 5. West-Tech Mechanical, Inc. 6. W&N Luxor Construction, Inc. 7. Inland Building Construction, Inc. 	<ol style="list-style-type: none"> 1. \$6,005,719.00 2. \$474,950.00 3. \$870,000.00 4. \$148,000.00 5. \$567,000.00 6. \$1,519,000.00 7. \$450,000.00
Total			\$ 10,034,669.00

B. Summary of all wages and penalties assessed and/or recovered.

Project Name	Affected Contractor (who directly employed the worker)	Amount Assessed	Amount Recovered	Approval of Forfeiture Requested from Labor Commissioner?	Description of Violation
N/A				<input type="checkbox"/> Yes <input type="checkbox"/> No	
Total					

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C. For any amount identified in item B for which approval of forfeiture not requested from the Labor Commissioner, please explain below.

Project Name	Amount Assessed	Amount Recovered	Explanation
N/A			
Total			

D. For any amount identified in item B for which approval of forfeiture was requested from the Labor Commissioner, please provide the following:

Project Name	Amount Assessed				Wages	Total	Amount Recovered					
	LC §1776(g)	LC § 1775	LC § 1813				LC § 1776(g)	LC § 1775	LC § 1813	Wages	Total	
N/A												
Total												

E. Identify cases that are or were the subject of LC § 1742 proceedings.

Project Name	Contractor	Nature of Violation	ODL Case #	Current Status
N/A				

F. Did you refer any contractor to the Labor Commissioner for debarment per LC § 1777.1?

Please check one: Yes No

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: _____

G. Did you refer any apprenticeship violation to the Division of Apprenticeship Standards (DAS)?

Please check one: Yes No

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: _____

LCP-AR3

7. On a separate sheet, provide a certificate of compliance with conflict of interest disclosure requirements by employees and consultants who participate in making governmental decisions (as defined under 2 CCR § 18701) along with the names of LCP personnel who are filing disclosure statements and the agencies with which those statements are being filed.

8. Please update the following information per 8 CCR § 16426(a)(2), (3) and (5) disclosure requirement.

A. Identify the geographical areas in which the program intends to operate and the identity of any public agencies not previously identified in this report with which the program intends to contract to provide labor compliance enforcement.

Padilla & Associates, Inc. intends to continue to operate within the Southern California geographical area, with additional potential clients in Northern California (yet to be identified).

B. State whether the entity shares personnel, management, ownership or other close affiliation with any of the following: (1) any contractor or subcontractor that within the preceding five years has been awarded a public works contract within the geographical area in which the program operates or intends to operate or with any public agency with which the program has contracted or intends to contract to provide labor compliance enforcement; (2) any person or entity who has been the surety on such a contract; (3) any joint labor-management committee established pursuant to the Federal Labor Management Cooperation Act of 1978 (section 175a of Title 29 of the United States Code); or (4) any person or entity who has represented workers employed in the same or similar classifications as those employed for such a contract and who has been engaged in (i) an organizational campaign under the National Labor Relations Act with contractors competing for such contracts or (ii) a jurisdictional dispute with another collective bargaining representative of workers utilized for such contracts.

For each affiliation, please provide the name, address, telephone number, and principal contact person for the person or entity; please identify shared personnel, management, and ownership; and if applicable, please provide a short description of the nature and extent of any other close affiliation:

Padilla & Associates, Inc. confirms that it does not share personnel, management or other close affiliation with any of the above noted entities/individuals.

C. Identify the attorney or law firm available to provide legal support for the LCP, and whether the persons or firms providing that support also represent any contractor, subcontractor, surety, or worker representative referred to in the preceding item.

Attorney/Law Firm Name (include address, contact person, and telephone number)

Heidi S. Hart, Esq. Phone (310) 237-1057

52811 Commonwealth Avenue, Venice, CA 90291

**Attachment A
Conflict of Interest Disclosure Requirements**

7. On a separate sheet, provide a certificate of compliance with the conflict of interest disclosure requirements per 2 CCR § 18701 along with the names of LCP personnel who are filing disclosure statements and the agencies with which those statements are being filed.

Padilla & Associates, Inc. certifies that it has complied with conflict of interest disclosure requirements by employees and consultants who participate in making governmental decisions, as defined under 2 CCR § 18701.