



August 22, 2011

Department of Industrial Relations
Office of the Director
Attn: Mr. Victor Osario
455 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102

Program Management
Project Management
Construction Management
Estimating
Scheduling
Constructability Review
Labor Compliance
Quality Control
Real Estate Analysis
Legal Support
Technology Solutions

RE: Carlsbad Unified School District – LCP #2003.00291
Labor Compliance Annual Report 2010 – 2011

Dear Mr. Osario,

Enclose please find the annual Labor Compliance Program Report for the Carlsbad Unified School District for the annual reporting period ending June 30, 2011.

This report is filed as required by Section 16431 of Title 8 of the California Code of Regulations. Should you have any questions, or need any additional information, please do not hesitate to contact me at (619) 231-6100, or mglaske@gafcon.com, or Ms. Michelle Johnson, Labor Compliance Officer for the Carlsbad Unified School District at (760) 331-5000 or mjohnson@carlsbadusd.net.

Sincerely,
GAFCON, INC.



Marty Glaske
Director, LCP Services

CC Via E Mail:

Ms. Michelle Johnson, LCO, CUSD (mjohnson@carlsbadusd.net)
Mr. William Morrison, Senior PM, Gafcon (wmorrison@gafcon.com)

LABOR COMPLIANCE PROGRAM ANNUAL REPORT

Format for Awarding Body that enforces its own Labor Compliance Program for some but not all projects

Report for the reporting period 7/1/2010 to 6/30/2011
(mm/dd/yyyy) (mm/dd/yyyy)

1. Name of Labor Compliance Program (LCP): Carlsbad Unified School District		
2. LCP I.D. Number (assigned by DIR): 2003.00291	3. Date of Initial Approval: July 14, 2003	
4. Contact person (include name, title, address, telephone, fax and e-mail, if available): Michelle Johnson, Labor Compliance Officer 6225 El Camino Real, Carlsbad, CA 92009 T- 760-331-5000, F - 619-760 - 6707		
5. Did LCP perform any LC § 1771.5 enforcement activities during the 12 months in the reporting period? Please check one: <input checked="" type="checkbox"/> If Yes, proceed to item 6 on the next page <input type="checkbox"/> If No, complete the information below, sign the form and submit to DIR, Office of the Director, Attn: LCP Special Assistant, 455 Golden Gate Avenue, 10th Floor, San Francisco CA 94102		
What suggestions do you have for the Department of Industrial Relations to better assist you with your program in the coming year? (attached additional sheets is necessary)		
SUBMITTED BY:		
<u>Michelle Johnson</u> Signature	<u>Michelle Johnson, Director of Nutrition and Purchasing</u> Name and Title	<u>8/22/11</u> Date

6. LC § 1771.5 enforcement activities (provide all information requested, attaching as many sheets as necessary)

Project Name	Bid Advertisement Date	Prime Contractor	Contract Amount
Carlsbad High Stadium Renovation	Lease Lease Back	McCarthy Building Company	\$14,316,382.00
Carlsbad High Construction, Phase II	Lease Lease Back	McCarthy Building Company	\$36,099,695.59
Sage Creek High School - Grading & Utilities	Lease Lease Back	Barnhart Balfour Beatty	\$7,933,279.00
Sage Creek High School - Buildings & Campus Site Work	Lease Lease Back	Barnhart Balfour Beatty	\$66,180,718.00
Hope/Magnolia/Buena Vista Remodernization	2/9 2010 & 2/19/2010	EC Constructors	\$726,194.00
Kelly Elementary Summer Modernization 2010	2/9 2010 & 2/19/2010	Randall Construction	\$82,734.75
Valley Middle School Remodernization Phase II	2/9 2010 & 2/19/2010	Straightline General Contractors	\$2,202,087.92
Magnolia Summer Modernization 2009	4/1/2009 & 4/7/2009	Pacific Building Group	\$1,900,000.00
Kelly Elementary Summer Modernization 2009	3/24/2009 & 3/31/2009	Delta Builders	\$1,450,000.00
Total			\$130,891,091.26

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
Valley Middle School Remodernization Phase II	3D Enterprises	\$3,096.42	\$1,536.42	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Failed to Pay Applicable PW Increase
Valley Middle School Remodernization Phase II	Envirobuilt	\$3,525.71	\$2,265.71	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Misclassification of Employees
Kelly Elementary Summer Modernization 2010	Farrell Pacific	\$233.15	\$153.15	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Failed to Pay Applicable Overtime
Carlsbad High Construction, Phase II	Valley Crest Landscape	\$514.88	\$354.88	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Failed to Pay Applicable Overtime
Carlsbad High Construction, Phase II	Alcala Company	\$562.85	\$172.85	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Underpayment of Applicable PW Rate
Carlsbad High Construction, Phase II	Ground Service Technology, Inc.	\$3,174.78	\$1,079.78	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Failed to Pay Applicable PW Increase
Carlsbad High Construction, Phase II	JR Construction	\$6,979.07	\$4,784.07	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Employed Unregistered Apprentice
Magnolia Elementary Remodernization 2009	Capital Plumbing	\$10,718.80	\$10,038.80	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Failure to Report all hours Worked Onsite
Kelly Elementary Remodernization 2009	Delta Builders	\$9,267.69	\$6,992.69	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Misclassification & Underpayment of PW Rate
Sage Creek High School - Buildings & Campus Site Work	Coburn Equipment	\$203.85	Pending	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Underpayment of Applicable PW Rate
Sage Creek High School - Buildings & Campus Site Work	Nissho of California	\$6,784.70	Pending	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Violation of Tender to Laborer Ratio
Sage Creek High School - Buildings & Campus Site Work	Ray White Cement	\$171.20	Pending	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Apprentice Working Alone
Total		\$45,233.14	\$27,378.35		

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
Kelly Elementary Summer Modernization	\$233.15	\$153.15	Amount under \$1,000.00 - DLSE Notified of Outcome
Carlsbad High Construction, Phase II	\$514.88	\$354.88	Amount under \$1,000.00 - DLSE Notified of Outcome
Carlsbad High Construction, Phase II	\$562.85	\$172.85	Amount under \$1,000.00 - DLSE Notified of Outcome
Sage Creek High School - Buildings & Campus Site Work	\$203.89	Pending	Investigation Ongoing - Under \$1,000.00 - DLSE will be Notified of Outcome
Sage Creek High School - Buildings & Campus Site Work	\$6,784.70	Pending	Investigation Ongoing - Approval of Forfeiture will be Sent once Investigation is Complete
Sage Creek High School - Buildings & Campus Site Work	\$171.20	Pending	Investigation Ongoing - Under \$1,000.00 - DLSE will be Notified of Outcome
Total	\$8,470.67	\$680.88	

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					Amount Recovered				
	LC §1776(g)	LC §1775	LC §1813	Wages	Total	LC §1776(g)	LC §1775	LC §1813	Wages	Total
Valley MS Remodernization Phase II	\$0.00	\$2,600.00	\$175.00	\$321.42	\$3,096.42	\$0.00	\$1,040.00	\$175.00	\$321.42	\$1,536.42
Valley MS Remodernization Phase II	\$0.00	\$1,800.00	\$0.00	\$1,725.71	\$3,525.71	\$0.00	\$540.00	\$0.00	\$1,725.71	\$2,265.71
Carlsbad HS Phase II	\$0.00	\$2,325.00	\$125.00	\$724.78	\$3,174.78	\$0.00	\$230.00	\$125.00	\$724.78	\$1,079.78
Carlsbad HS Phase II	\$0.00	\$3,125.00	\$25.00	\$3,829.07	\$6,979.07	\$0.00	\$930.00	\$25.00	\$3,829.07	\$4,784.07
Magnolia Modernization 2009	\$0.00	\$1,700.00	\$100.00	\$8,918.80	\$10,718.80	\$0.00	\$1,020.00	\$100.00	\$8,918.80	\$10,038.80
Kelly Modernization 2009	\$0.00	\$3,250.00	\$425.00	\$5,592.69	\$9,267.69	\$0.00	\$975.00	\$425.00	\$5,592.69	\$6,992.69
Total	\$0.00	\$14,800.00	\$850.00	\$21,112.47	\$36,762.47	\$0.00	\$4,735.00	\$850.00	\$21,112.47	\$26,697.47

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:

Project Name	Contractor	Date Referred