Padilla
& ASSOCIATES
Specialized Management, Public Contract Compliance Monitoring,
Training & Strategic Outreach Consulting

TRANSMITTED VIA E-MAIL: vosoria@dir.ca.gov

August 31, 2011

Victor M Osorio
Program Analyst, Department of Industrial Relations
455 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102

RE: Third Party LCP: Padilla & Associates, Inc.
LCP Annual Report Submission
Report Period: July 1, 2010 – June 30. 2011
LCP. I.D. Number: 2003.00331

Dear Mr. Osorio

In accordance with 8 CCR § 16431(a), Padilla & Associates, Inc. is pleased to submit its Labor Compliance Program (LCP) Annual Report. The LCP Annual Report covers the period of July 1, 2008 through June 30, 2009.

The enclosed LCP Annual Report provides detailed responses to all required questions pertinent to these projects.

The District is confident that it has met all requirements of the LCP provisions, however, should you have any questions, please feel free to contact me at (714) 973-1335 or via e-mail at ppadilla@padillainc.com

Sincerely,

Patricia K. Padilla
President

Enclosures

Corporate Office
211 E. City Place Drive
Santa Ana, CA 92705
Phone (714) 996-1335

2725 Congress Street, Ste. 1-D
San Diego, CA 92110
Phone (619) 725-0843

LCP-AR3

LABOR COMPLIANCE PROGRAM ANNUAL REPORT

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

Report for the reporting period 07/01/2010 (mm/dd/yyyy) to 06/30/2011 (mm/dd/yyyy)

1. Name of Labor Compliance Program (LCP) :

Padilla & Associates, Inc.

2. LCP I.D. Number (assigned by DIR):

2003.00331

3. 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. – 211 E. City Place Drive, Santa Ana, CA 92705 (PLEASE NOTE NEW ADDRESS AND NEW PHONE/FAX NOS.)
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 Assistant455 Golden Gate Avenue, 10th Floor, San Francisco, CA 94102.

- **Green Dot Public Schools**
- **City of Huntington Beach**
- **South Pasadena Unified School District**
- **Riverside Community College District**
- **Santa Ana Watershed Project Authority**
- **Montebello 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): n/a

SUBMITTED BY:

Signature	Patricia K. Padilla, President/Labor Compliance Officer Name and Title	8/31/11 Date

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 (Multi-Prime)	Contract Amount
Animo Leadership High School 3-Story Classroom Building and Gymnasium Project	July 28, 2010	Crew, Inc.	$183,800.00
		KAR Construction	$257,000.00
		USS Cal Builders	$2,384,000.00
		KAR Construction	$1,111,000.00
		ACSS, Inc.	$2,678,439.00
		F. Rodgers Corp.	$866,000.00
		Rutherford Company, Inc.	$1,475,000.00
		Alpha Mechanical Heating & AC, Inc.	$768,000.00
		Link-Nilsen Corp.	$309,975.00
		Mek Air Tech	$638,400.00
		RDM Electric Co., Inc.	$1,575,000.00
		Siapin Horticulture, Inc.	$86,000.00
Total			**$ 12,332,614.00**

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
Animo Leadership High School 3-Story Classroom Building and Gymnasium Project	KAR Construction	$937.73	$937.73	☐ Yes ☑ No	LC 1777.5 Violation
Total					

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
Animo Leadership High School 3-Story Classroom Building and Gymnasium Project	$937.73	$937.73	Contractor failed to comply with LC 1777.5 in good faith. Contractor promptly and voluntarily remedied matter.
Total	$937.73	$937.73	

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
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: _____

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: **City of Huntington Beach**

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

Project Name	Bid Advertisement Date	Prime Contractor (Multi-Prime)	Contract Amount
Traffic Signal Modifications at Brookhurst St. Yorktown Ave., Newland Ave. & Atlanta Ave. and Magnolia St. & Atlanta Ave	September 16, 2010	California Professional Engineering, Inc.	$212,383.00
Total			**$212,383.00**

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
Traffic Signal Modifications at Brookhurst St. Yorktown Ave., Newland Ave. & Atlanta Ave. and Magnolia St. & Atlanta Ave	N/A			☐ Yes ☑ No	
Total					

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					Amount Recovered				
	LC §1776(g)	LC § 1775	LC § 1813	Wages	Total	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: _____

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 (Multi-Prime)	Contract Amount
South Pasadena Middle School Phase III Expansion Project (Multiple Prime Project)	September 23, 2009	Western Alta Construction, Inc.	$6,005,719.00
		Industrial Masonry Inc.	$474,950.00
		J. M. Farnan Co., Inc.	$870,000.00
		Recom Inc.	$148,000.00
		West-Tech Mechanical, Inc.	$567,000.00
		W&N Luxor Construction, Inc.	$1,519,000.00
		Inland Building Construction, Inc.	$450,000.00
Total			**$ 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
South Pasadena Middle School Phase III Expansion Project (Multiple Prime Project)	Western Alta Construction, Inc.	$4,647.30	$4,647.30	☐ Yes ☑ No	LC 1775
South Pasadena Middle School Phase III Expansion Project (Multiple Prime Project)	Western Alta Construction, Inc.	$693.00	$693.00	☐ Yes ☑ No	LC 1775
South Pasadena Middle School Phase III Expansion Project (Multiple Prime Project)	Barcenas Construction Complaint	$0.00	$0.00	☐ Yes ☑ No	LC 1775- Audit Ongoing
South Pasadena Middle School Phase III Expansion Project	JKB Corporation	$16,498.64	$0.00	☐ Yes ☑ No	LC 1775- Audit Ongoing

(Multiple Prime Project)					
Total		**$21,838.94**	**$5,340.30**		

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
South Pasadena Middle School Phase III Expansion Project (Multiple Prime Project)	$4,647.30	$4,647.30	Apprentice Wage Violation. Contractor promptly restituted worker upon notification from LCP.
South Pasadena Middle School Phase III Expansion Project (Multiple Prime Project)	$693.00	$693.00	Contractor failed to pay the prevailing wage increase in good faith. Contractor promptly restituted workers upon notification from LCP with the two week period from the issuance of the increase effective date.
South Pasadena Middle School Phase III Expansion Project (Multiple Prime Project)	$0.00	$0.00	Audit initiated. Request for forfeiture is forthcoming.
South Pasadena Middle School Phase III Expansion Project (Multiple Prime Project)	$16,498.64	$0.00	Audit complete, however is currently in the pre-withhold and mitigating evidence acceptance and review process. Request for forfeiture is forthcoming.
Total	**$21,838.94**	**$5,340.30**	

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
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: _____

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: **Riverside Community College District** (Riverside City College, Moreno Valley College, Norco College & District Office)

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

Project Name	Bid Advertisement Date	Prime Contractor	Contract Amount
Wheelock Gym Complex (RCC)	April 23, 2010	Adams & Smith, Inc.	$1,663,234.00
		Applied Roof Engineering, Inc.	$339,400.00
		Daart Engineering, Inc.	$162,630.00
		Inland Building Companies, Inc.	$2,497,000.00
		ISEC, Inc.	$2,299,977.00
		Perfection Glass Company	$346,730.00
		GDA Incorporated	$1,219,869.00
		Pro-Craft Plumbing Co., Inc.	$706,000.00
		Tidwell Concrete Construction, Inc.	$1,536,000.00
		Unison Electric	$2,970,000.00
		Waterproofing Experts, Inc.	$277,500.00
		West Tech Mechanical	$850,975.00
Dental Education (MVC)	April 21, 2010	Silver Creek.	$3,831,712.49
		FM & Sons, Inc.	$122,100.00
		Morrow-Meadows Corporation	$1,218,000.00
		Pro-Craft Plumbing	$950,000.00
		Dow Diversified	$624,996.00
		Best Contracting Services, Inc.	$39,000.00
		Enterprise Security	$108,500.00
		Plas-Tal MFG. Co.	$145,200.00
		Inland Building Construction Companies	$93,100.00
		Marina Landscape, Inc.	$147,300.00
		Painting and Décor LTD	$12,890.00
		Terra Pave, Inc.	$159,000.00
		Whitehead Construction, Inc.	$9,900.00
		Winegardner Masonry, Inc.	$39,435.00
		Graebel, Inc.	$47,147.00
Secondary Effects (Norco)	December 23, 2010	PCN3, Inc.	$5,782,000.00
		West Tech Mechanical	$2,215,500.00
		PCN3, Inc.	1,977,000.00

Okubo Building (District)	May 20,2011	US Demolition, Inc.	$78,181.00
		Columbia Steel, Inc.	$207,448.00
		E & R Glass Contractors, Inc.	$66,205.00
		Continental Flooring, Inc.	$66,126.00
		Arrowhead Mechanical/ Sheet Metal	$297,000.00
		JM Farnan Company, Inc.	$280,000.00
		Caston, Inc.	$189,985.00
Total			**$34,109,258.49**

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
Wheelock Gym Complex (RCC)	Tidwell Concrete Construction (Prime)	$0.00	$0.00	☐ Yes ☑ No	LC 1775 violation.
Secondary Effects (Norco)	PCN3, Inc. (Prime)	$17,252.23	$0.00	☐ Yes ☑ No	LC 1777.5 violation
Secondary Effects (Norco)	PCN3, Inc. (Prime)	$2,296.72	$2,296.72	☐ Yes ☑ No	LC 1775 violation
Secondary Effects (Norco)	PCN3, Inc. (Prime)	$0.00	$0.00	☐ Yes ☑ No	LC 1775 violation
Total		$19,548.95	$2,296.72		

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
Wheelock Gym Complex (RCC)	$0.00	$0.00	Audit initiated as a result of multiple worker complaints. Contractor filed for bankruptcy and surrendered project to the boning surety company. LCP currently working with surety bonding and bankruptcy court to obtain documents for audit investigation.
Secondary Effects (Norco)	$17,252.23	$0.00	Contractor classified workers as "apprentices" without valid certifications. RFF forthcoming.
Secondary Effects (Norco)	$2,296.72	$2,296.72	Contractor misclassified workers and promptly restituted wages. RFF for penalty assessment is forthcoming.
Secondary Effects (Norco)	$0.00	$0.00	Audit initiated for multiple 1775 violations

Total	$19,548.95	$2,296.72	

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
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: _____

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: **Santa Ana Watershed Project Authority**

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

Project Name	Bid Advertisement Date	Prime Contractor	Contract Amount
Brine Line Enhancement Reach IVD Project	1/27/11 (Construction imitated in June 2011)	MMC, Inc.	$1,075,101.00
Inland Empire Brine Line Reach IVB Project	1/31/11 (Construction imitated in June 2011)	Mladen Buntich Construction	$5,286,225.00
Total			$6,361,326.00

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				☐ Yes ☑ No	
Total					

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					Amount Recovered				
	LC §1776(g)	LC § 1775	LC § 1813	Wages	Total	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: _____

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: **Montebello Unified School District**

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

Project Name	Bid Advertisement Date	Prime Contractor	Contract Amount
Relocation of One Modular Restroom Building to Eastmont Intermediate School	June 17, 2010	Coneger Crop	$147,208.00
Total			$147,208.00

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
Relocation of One Modular Restroom Building to Eastmont Intermediate School	N/A			☐ Yes ☑ No	
Total					

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					Amount Recovered				
	LC §1776(g)	LC § 1775	LC § 1813	Wages	Total	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: _____

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