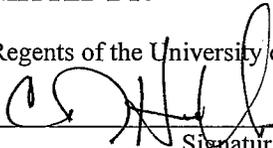


LABOR COMPLIANCE PROGRAM ANNUAL REPORT

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

Report for the reporting period 07/01/2011 to 06/30/2012 (mm/dd/yyyy) (mm/dd/yyyy)

1. Name of Labor Compliance Program (LCP) : University of California		
2. LCP I.D. Number (assigned by DIR): 2003.00303	3. Date of Initial Approval: 08/11/2003	
4. Contact person (include name, title, address, telephone, fax, and e-mail, if available): Attn: Chris Hornbeck-- Associate Director-Construction Services University of California Office of the President 1111 Franklin Street, 6 th Floor Oakland, CA 94607 Phone: (510) 987-0312 Fax: (510) 987-0752		
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"/> Yes If Yes, proceed to item 6 on the next page <input type="checkbox"/> No 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? (attach additional sheets if necessary)		
SUBMITTED BY: The Regents of the University of California By:  Signature Christopher Hornbeck, Associate Director-Construction Services Name and Title August 16, 2012 Date		

LCP-AR1

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
See attached			
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
See attached										
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: _____ N/A _____

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: _____ See attached _____

Campus	Bill Advertisement Date	Prime Contractor	Affected Contractor	Total Construction Cost	Amount Assessed					Amount Recovered					Did you send a Request for Approval of Forfeiture Form to the Labor Commission for this project/contractor? If not, why not?	Explanation of wage violation/penalty imposed
					Wages	1775	1776	1813	Total	Wages	1775	1776	1813	Total		
Division of Agriculture and Natural Resources*	None--Agriculture and Natural Resources did not have any projects under construction with funds from the Kindergarten-University Public Education Facilities Bond Act of 2002 or 2004, and did not award any projects funded by state-funded bonds after January 1, 2012.				N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

*The Division of Agriculture and Natural Resources (ANR) is a statewide network of University of California researchers and educators dedicated to the creation, development and application of knowledge in agricultural, natural and human resources. They are not affiliated with any campus, although some of their administrative staff are physically located on the UC Davis campus. Their capital program involves the construction of facilities for their statewide programs, including Cooperative Extension, 4-H, Master Gardener and agricultural research and extension centers.

University of Berkeley	As per [redacted] on 7/11/12: No contracts awarded after 1/1/12 with State bond funding, and No PEFBA 2002 or 2004 projects.	N/A													
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University of California, Davis	9/15/2010	Sundt Construction Inc.	Clark Pacific	\$37,481,000	\$ 23.04	\$ 10.00	\$ -	\$ -	\$ 33.04	\$ 23.04	\$ 10.00	\$ -	\$ -	\$ 33.04	No, total wage restitution and penalty was under \$1000.00.	Misclassified an employee by mistake as an apprentice, yet they were actually a Journeyman.
			Alcal/Arcade		\$ 313.90	\$ 140.00	\$ -	\$ -	\$ 453.90	\$ 313.90	\$ -	\$ -	\$ -	\$ 313.90	No, total wage restitution and penalty was under \$1000.00.	missed the increase in pay rate.
			California Drywall		\$ 412.92	\$ 2,100.00	\$ 350.00	\$ -	\$ 2,862.92	\$ -	\$ -	\$ -	\$ -	\$ -	I plan on sending a Notice of Forfeiture next week, 7/09/2012.	missed the increase in pay rate.
			F.Rodgers		\$ 12.06	\$ 550.00	\$ -	\$ -	\$ 562.06	\$ 12.06	\$ 550.00	\$ -	\$ -	\$ 562.06	No, total wage restitution and penalty was under \$1000.00.	missed the increase in pay rate.
			Final Air Balance		\$ 7.50	\$ 120.00	\$ -	\$ -	\$ 127.50	\$ 7.50	\$ -	\$ -	\$ -	\$ 7.50	No, total wage restitution and penalty was under \$1000.00.	missed the increase in pay rate.
			Frayji Design Group		\$ 134.73	\$ 10.00	\$ -	\$ -	\$ 144.73	\$ 134.73	\$ 10.00	\$ -	\$ -	\$ 144.73	No, total wage restitution and penalty was under \$1000.00.	Misclassified an employee by mistake.
			Gamma Rebar		\$ 6,130.24	\$ 3,600.00	\$ -	\$ -	\$ 9,730.24	\$ -	\$ -	\$ -	\$ -	\$ -	Notice of Forfeiture was mailed and denied as the contractor has not completed their work on the job site and California will allow a contractor to complete the percentage at the end of there contract. . Notice of Forfeiture was not approved at this time.	Ratio of apprentice to journeymen has not been met by the standards of union agreement and barely met according to California requirements.
			Helix Electrical		\$ 1,199.26	\$ -	\$ -	\$ -	\$ 1,199.26	\$ 1,199.26	\$ -	\$ -	\$ -	\$ 1,199.26	Waived fees, due to Contractor immediate attention to situation and quick action taken to pay restitution to affected workers.	Missed holiday, and increases to many workers.

Campus	Bid Advertisement Date	Prime Contractor	Affected Contractor	Total Construction Cost	Amount Assessed					Amount Recovered					Did you send a Request for Approval of Forfeiture Form to the Labor Commissioner for this project/contractor? If not, why not?	Explanation of wage violation/penalty imposed	
					Wages	1775	1776	1813	Total	Wages	1775	1776	1813	Total			
			Lawson Mechanical		\$ 683.38	\$ 12,250.00	\$ 400.00	\$ -	\$ 13,333.38	\$ 683.38	\$ -	\$ -	\$ -	\$ 683.38	Notice of Forfeiture will be mailed out as soon as I receive the rest of the documentation from Contractor that I requested for about 21 other employees who were not paid fringe benefits.	Rejected all certified payroll due to incorrect payments of wages, the contractor had ten days to correct and neglected to do so. They are now receiving maximum penalties due to their inadequate attempts at making corrections and transmission of documentation requested.	
			TSV Painting		\$ 18.85	\$ 20.00	\$ -	\$ -	\$ 38.85	\$ 18.85	\$ 20.00	\$ -	\$ -	\$ 38.85	No, total wage restitution and penalty was under \$1000.00.	Paid part of base wage rate into the fringe contribution.	
				VET MED 3B TOTALS	\$8,935.88	\$18,800.00	\$750.00	\$0.00	\$28,485.88	\$2,392.72	\$590.00	\$0.00	\$0.00	\$2,982.72			
University of California, Davis	11/9/2010	Kleinfelder		\$300,000	Still Open												
UC Davis Medical Center	11/30/2009	Multiple Prime Contracts	None	\$22,248,217.00	Still Open											N/A	N/A

As per [redacted] Manager, Facilities Design & Construction: The Davis Medical Center has only one project underway that involves State bond funding: A/C 9555900 Telemedicine Resource Center & Rural PRIME Facility. For this project, we have had no notices of labor non-compliance filed during the reporting period of July 1, 2011 to June 30, 2012 (or, for that matter, at any time during the project). I have checked with both our Construction Manager on the project (Kitchell) and our in-house Contracts Administrator. I attribute this good performance to thorough due diligence on the part of our consultants and contracts staff. This is a multiple-prime construction project, with a CM (not at risk) administering the construction. Additionally, we have full-time inspectors on the project who are examining the qualifications of the labor force for contract compliance.

University of California, Irvine					N/A											
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We previously had projects with funds from the 2002 or 2004 Public Education K-University Facilities bonds, but were finished with all of them at least 2 years ago. Business Unit 2 will not be awarded until November of 2012. Therefore there are no UC Irvine projects to include on this report.

University of California, Los Angeles	10/13/2011	Novus	All Area Services	937,000.00	54.28	0.00	0.00	0.00	54.28	54.28	0.00	0.00	0.00	54.28	No, contractor and subs have been excellent in reporting payroll regularly. The one minor wage issue was corrected promptly once it was brought to their attention. (See note below)	See note below
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NOTE: With the Telemedicine project, there has been one error that occurred when Apprentice [redacted] worked un-supervised for 8 hours on one day. It was brought to the contractor's attention, and the issue was corrected immediately. [redacted] was paid the day after the payroll was submitted and flagged (8 days after his original pay date). Payment amount was \$54.28 (wage and benefit difference). Follow-up documentation and field verifications verified the correction. Field verifications to this point have matched the records as reported by the Contractor and the Sub-Contractors. Therefore no penalties were assessed. This project is still open.

Campus	Bill Advertisment Date	Prime Contractor	Affected Contractor	Total Construction Cost	Amount Assessed					Amount Recovered					Did you send a Request for Approval of Forfeiture Form to the Labor Commissioner for the project contractor? If not, why not?	Explanation of wage violation/penalty imposed		
					Wages	1775	1775	1813	Total	Wages	1775	1775	1813	Total				
University of California, Merced		Multiple Primes																
		Airco Mechanical, Inc.		3,929,500.00	Still Open													Not Started
	11/2/11	A. M. Stephens Construction Company, Inc.		1,698,000.00	Still Open													Started
	12/23/2011	Alcal Specialty Contracting, Inc.		98,055.00	Still Open													Not Started
	11/2/2011	Alcal Specialty Contracting, Inc.		5,575,000.00	Still Open													Not Started
	12/23/2011	Acosta & Sons, Inc.		855,541.00	Still Open													Not Started
	11/2/2011	Acosta & Sons, Inc.		737,024.00	Still Open													Not Started
	11/2/2011	Boyett Doors		408,687.00	Still Open													Not Started
	12/23/2011	Beck Steel, Inc.		2,236,900.00	Still Open													Not Started
	12/23/2011	B.T. Mancini Co., Inc.		616,822.00	Still Open													Not Started
	12/23/2011	Component West, Inc.		4,705,000.00	Still Open													Started
	11/2/2011	D. Batty, Inc.		1,346,000.00	Still Open													Started
	12/23/2011	Estes Commercial Refrigeration, Inc.		90,000.00	Still Open													Not Started
	11/2/2011	Elite Landscaping, Inc.		515,300.00	Still Open													Not Started
	11/2/2011	Electromagnetic Shielding Inc.		425,000.00	Still Open													Not Started
	11/2/2011	EMS Construction, Inc.		536,000.00	Still Open													Not Started
	11/2/2011	Frank M. Booth, Inc.		8,230,905.00	Still Open													Not Started
	11/2/2011	Gonsalves & Santucci, Inc. dba Conco		740,000.00	Still Open													Not Started
	11/2/2011	Graham Prewett, Inc.		340,000.00	Still Open													Not Started
	11/2/2011	Graham Prewett, Inc.		346,500.00	Still Open													Not Started
	11/2/2011	Helix Electric Inc.		9,567,000.00	Still Open													Started
	11/2/2011	HPS Mechanical		679,740.00	Still Open													Not Started
	11/2/2011	ISEC Incorporated		1,957,308.00	Still Open													Not Started
	11/2/2011	J. Dean Ballard & Sons Tile and Marble Co.		137,049.00	Still Open													Not Started
	3/9/2012	Joseph J. Albanese, Inc.		3,363,000.00	Still Open													Started
	11/2/2011	Linden Steel & Construction, Inc.		443,000.00	Still Open													Not Started
	11/2/2011	LVI Environmental Services Inc. dba LVI Facility Services		260,385.00	Still Open													Not Started
	12/23/2011	Mitsubishi Electric & Electronics USA, Inc.		936,049.00	Still Open													Not Started
	11/2/2011	Mid-State Precast, L.P.		884,777.00	Still Open													Not Started
	11/2/2011	National Air Balance Company, Inc.		224,500.00	Still Open													Not Started
	11/2/2011	Pacific West Controls		1,485,925.00	Still Open													Not Started
	11/2/2011	River City Painting, Inc.		359,111.00	Still Open													Not Started
	12/23/2011	Schollenbarger-Borello Inc. dba Golden State Steel		4,330,000.00	Still Open													Not Started
	11/2/2011	Western Building Materials Co.		497,400.00	Still Open													Not Started
	12/23/2011	Western States Fire Protection Company		937,714.00	Still Open													Not Started

Campus	Bid Advertisement Date	Prime Contractor	Affected Contractor	Total Construction Cost	Amount Assessed					Amount Recovered					Did you send a Request for Approval of Forfeiture Form to the Labor Commissioner for this project/contractor? If not, why not?	Explanation of wage violation/penalty imposed
					Wages	1775	1776	1813	Total	Wages	1775	1776	1813	Total		

University of California, Riverside	6/19/2007	Edge Development, Inc.	DAW Technology	53,651,750.00	\$163.68	\$0.00	\$0.00	\$0.00	\$163.68	\$204.48	\$0.00	\$0.00	\$0.00	\$204.48	N/A: Not over \$1,000.	Unsupervised Apprentices; Journeyman Pay for selected hours.
			Glazcon Production Inc.		\$95.68	\$0.00	\$0.00	\$0.00	\$95.68	\$135.70	\$0.00	\$0.00	\$0.00	\$135.70	N/A: Not over \$1,000.	Unsupervised Apprentices; Journeyman Pay for selected hours.
			The Henson Company		\$181.12	\$0.00	\$0.00	\$0.00	\$181.12	\$274.42	\$0.00	\$0.00	\$0.00	\$274.42	N/A: Not over \$1,000.	Unsupervised Apprentices; Journeyman Pay for selected hours.
			United Automatic Sprinklers		\$108.01	\$0.00	\$0.00	\$0.00	\$108.01	\$108.01	\$0.00	\$0.00	\$0.00	\$108.01	N/A: Not over \$1,000.	Unsupervised Apprentices; Journeyman Pay for selected hours.
			Empire Floor Covering Inc.		\$102.94	\$0.00	\$0.00	\$0.00	\$102.94	\$114.02	\$0.00	\$0.00	\$0.00	\$114.02	N/A: Not over \$1,000.	Unsupervised Apprentices; Journeyman Pay for selected hours.
			Yardley Zaretsky Inc.		\$722.52	\$0.00	\$0.00	\$0.00	\$722.52	\$729.40	\$0.00	\$0.00	\$0.00	\$729.40	N/A: Not over \$1,000.	Used wrong wage determination for first month; corrected immediately & no further errors.
			Public Agency													
			Totals:	53,651,750.00	1,373.95	0.00	0.00	0.00	1,373.95	1,566.03	0.00	0.00	0.00	1,566.03		

University of California, Santa Barbara	8/17/2011	Tomar Construction, Inc.		227,170.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A (see note below)	N/A (see note below)
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There was no violation to report as there was only a data entry issue. A laborer from Precision Welding was listed mistakenly as an iron worker in LCPTTracker but he was paid the correct wage for laborer. Since ironworkers are paid more than laborers the LCPTTracker system would not allow the payroll to be certified until the correction was made. It is only mentioned because it was the only anomaly on the project.

University of California, Santa Cruz	11/2/2007	Devcon Construction		50,971,311.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A	N/A
University of California, Santa Cruz	12/1/2008	Devcon Construction		73,010,337.00	Still Open										N/A	N/A

We use the enforcement mechanism the LPCTTracker offers, which does not allow incorrect payrolls to be submitted. We feel preliminary rejection of inaccurate payrolls educates the contractors, alerts them to any potential violations and gives them a chance to correct any inconsistencies at their end before incurring penalties. This also maintains our good relationship with contractors, who feel we are partnering with them to avoid them being penalized for small errors, clerical mistakes, inadvertently missed increases, etc. When they submit the payrolls, they are submitting them as correct, under penalty of perjury. We believe that most contractors qualified to be working on projects of this size are honest, yet, we do cross check every submitted payroll with the applications for payment, the monthly site interviews done by our inspectors and with the daily logs. In the case of Devcon Construction, it has a history of using unionized workers, has a very enviable record of labor compliance and has an admin person dedicated to ensuring that payrolls are submitted in a timely and correct manner.

University of California, San Diego	Note: For period 7/1/11 - 6/30/12 there were no projects under construction or contracts awarded with any state bond funding.			N/A												
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Campus	Bid Advertisement Date	Prime Contractor	Affected Contractor	Total Construction Cost	Amount Assessed					Amount Recovered					Did you send a Request for Approval or Forfeiture Form to the Labor Commissioner for this project/contractor? If not, why not?	Explanation of wage violation/penalty imposed	
					Wages	1775	1776	1813	Total	Wages	1775	1776	1813	Total			
University of California, San Francisco	None--UCSF did not have any new or ongoing projects with funding from the Kindergarten-University Public Education Facilities Bond Act of 2002 or 2004, and did not award any construction contracts funded by state bonds after January 1, 2012.				N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

The UC Davis Seismic Corrections Phase IV Project featured on this page was completed prior to August 1, 2009, however the project went to hearing. Below is a summary of the violations from that hearing. Training is also due and will be paid in the amount of \$5,922.81. KOO Construction is currently appealing the DIR's decision through a Petition for Writ of Mandate.

UC campus	Project	Bid Advertisement Date	Prime Contractor	Affected Contractor	Total Construction Cost	Amount Assessed					Amount Recovered				
						Wages	1775	1776	1813	Total	Wages	1775	1776	1813	Total
University of California, Davis	Seismic Corrections Phase IV	3/12/2006	KOO Construction	KOO Construction	6,253,531.00	\$109,793.36	\$72,150.00		\$30,550.00	212,493.36	\$104,888.16	\$72,150.00		\$30,550.00	207,588.16

Apprenticeship Violations Referred to Division of Apprenticeship Standards

UC campus	Project	Bid Advertisement Date	Prime Contractor	Affected Contractor	Date Filed	Total Construction Cost	Amount Assessed				Other
							Failure to provide Contract award info	Failure to request apprentice	Failed to make training contribution		
University of California, Davis	Vet Med 3B	9/15/2010	Sundt Construction, Inc.	Valley Waterproofing	6/24/12	\$37,481,000.00			X		
University of California, Davis	Vet Med 3B	9/15/2010	Sundt Construction, Inc.	Gamma Rebar	6/24/12	\$37,481,000.00				Ratio of Apprentice to Journeyman has not been met	
University of California, Davis	Vet Med 3B	9/15/2010	Sundt Construction, Inc.	Helix Electrician	6/24/12	\$37,481,000.00				Missed holidays and increases to many workers	

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JUN 15 2011

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