

LABOR COMPLIANCE PROGRAM ANNUAL REPORT

Format for Awarding Body that enforces its own Labor Compliance Program for all projects (Labor Code §1771.5(a))

Report for the reporting period 07/01/2012 to 06/30/2013
(mm/dd/yyyy) (mm/dd/yyyy)

1. Name of Labor Compliance Program (LCP): San Mateo County Transit District & Peninsula Corridor Joint Powers Board (SamTrans)		
2. LCP I.D. Number (assigned by DIR): 2006.00533		3. Date of Initial Approval: 2/25/2010
4. Contact person (include name, title, address, telephone, fax, and e-mail, if available): John Barker, Labor Compliance Officer 1250 San Carlos Avenue San Carlos, CA 94070-1306 Phone: 650-508-7940 Fax: 650-508-6458 Email: barkerj@samtrans.com		
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) None.		
SUBMITTED BY:		
 Signature	John Barker, Labor Compliance Officer Name and Title	8/6/2013 Date

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

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

Project Name	Bid Advertisement Date	Prime Contractor	Contract Amount
ATIS II - PA System Upgrades 4th & King Project	11/1/2011	BECI Electric, Inc.	\$199,000.00
Bus Stop Maintenance Services	5/26/2009	Impec Group	\$570,755.00
Central Security Office Upgrade Project	5/15/2012	FE Controls Corporation	\$154,543.67
Electrical Maintenance Services	12/2/2010	Liberty Electric of San Mateo Inc.	\$948,094.00
Elevator Maintenance Services	9/15/2008	KONE Inc.	\$360,271.00
Fire Alarm System Upgrade	5/24/2012	Vanden Bos Electric, Inc.	\$663,965.00
HVAC Maintenance Services	6/18/2008	Heathorn Mechanical Services	\$499,280.00
Industrial Waste Disposal And Industrial Waste Emergency Response Services	9/10/2009	Clean Harbors Environmental Services, Inc.	\$430,110.00
Inspection and Maintenance of Fire Suppression Equipment and the Related Alarm Monitoring Services	6/10/2011	Siemens Industry, Inc.	\$289,258.00
Jerrold Avenue Bridge Replacement Project	4/21/2010	Disney Construction, Inc.	\$6,313,333.00
Landscape and Grounds Maintenance Services	7/3/2012	Commercial Environmental Landscape	\$397,260.00
Overhead and Mechanical Door Services	6/22/2011	Chandler Garage Door Service	\$200,937.00
Painting and Related Services	9/7/2012	Seven Island Painting, Inc.	\$200,880.00
Plumbing Maintenance Services	12/5/2008	Burr Plumbing & Pumping, Inc.	\$370,985.00
Positive Train Control System for Caltrain - Phase 1	8/2/2010	Parsons Transportation Group	\$138,135,673.00
Provision of Fencing Along the Caltrain Right-of-Way	10/4/2011	Central Fence Company	\$432,600.00

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

Project Name	Bid Advertisement Date	Prime Contractor	Contract Amount
Provision of Rail Operations, Maintenance and Support Services	5/5/2010	TransitAmerica Services, Inc.	\$398,591,286.00
San Bruno Grade Separation	3/11/2010	Granite Construction Company	\$77,699,000.00
San Mateo Bridges Phase 1 - Foundation Improvements	7/19/2010	West Bay Builders, Inc.	\$2,674,000.00
Signal Optimization Project Phase 2 - PSO DAXing	5/29/2012	Transit Constructors LP	\$549,000.00
Signal System Rehabilitation Project	11/28/2012	Balfour Beatty Rail Systems, Inc.	\$989,420.00
South Base Bus Wash System	11/1/2011	NS Corporation	\$324,288.00
South Terminal And Santa Clara Stations Improvements Project	7/14/2009	S.J. Amoroso Construction Co., Inc.	\$24,127,000.00
Underground Storage Tank Inspection & Maintenance Services	1/25/2012	Technology, Engineering & Construction, Inc.	\$750,000.00
Total			\$655,870,938.67

B. List any project subject to the limited exemption clause of LC § 1771.5(a), if applicable.

Project Name	Description of Project	Contract Amount
None		
Total		\$0

C. 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
Central Security Office Upgrade Project	FE Controls Corporation	\$1,089.01	\$1,089.01	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Underpayment of Wages and Training Fund
Central Security Office Upgrade Project	FE Controls Corporation	\$212.16	\$212.16	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Worker Misclassified as Apprentice (benefits)
Central Security Office Upgrade Project	FE Controls Corporation	\$343.00	\$343.00	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Worker Misclassified as Apprentice (wages)
Provision of Fencing Along the Caltrain Right-of-Way	West Coast Tree Care	\$4,761.84	4,761.84	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Worker Misclassification
Provision of Fencing Along the Caltrain Right-of-Way	Central Fence Company	\$1,134.44	\$1,134.44	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Worker Misclassification
Signal Optimization Project Phase 2 - PSO DAXing	Transit Constructors LP	\$27.08	\$27.08	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Worker Misclassification
South Base Bus Wash System	N / S Corporation	\$1,629.58	\$1,629.58	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Worker Misclassification and Unpaid Training Fund
South Base Bus Wash System	Quality Plumbing Services	\$1,282.71	\$1,282.71	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Wage Underpayment and Unpaid Training Fund
South Terminal and Santa Clara Stations Improvements Project	Satellite Painting, Inc.	\$133.84	\$133.84	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unpaid Work Hours
Total		\$10,613.66	\$10,613.66		

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

Project Name	Amount Assessed	Amount Recovered	Explanation
Central Security Office Upgrade Project	\$1,089.01	\$1,089.01	FE Controls paid two workers at less than the prevailing wage rates and did not make training fund contributions. Contractor agreed to pay all amounts assessed.
Central Security Office Upgrade Project	\$212.16	\$212.16	FE Controls classified an employee as an apprentice but the employee was not registered as an apprentice with the DAS. The difference between the journeyman fringe benefit rate and the apprentice wage fringe benefit rate was assessed as an underpayment. Contractor agreed to pay all amounts assessed.
Central Security Office Upgrade Project	\$343.00	\$343.00	FE Controls classified an employee as an apprentice but the employee was not registered as an apprentice with the DAS. The difference between the journeyman wage rate and the apprentice wage rate was assessed as an underpayment. Contractor agreed to pay all amounts assessed.
Provision of Fencing Along the Caltrain Right-of-Way	\$4,761.84	4,761.84	West Coast Tree Care paid workers at the Tree Trimmer (High Voltage) rates for work that fell under the scope of Laborers. Contractor agreed to pay all amounts assessed.
Provision of Fencing Along the Caltrain Right-of-Way	\$1,134.44	\$1,134.44	Central Fence did not pay workers who operated a Bobcat and at Operating Engineer rates. Contractor agreed to pay all amounts assessed.
Signal Optimization Project Phase 2 - PSO DAXing	\$27.08	\$27.08	Transit Constructors paid a worker at the Laborer Group 3 rate for hours that he was operating a backhoe. Contractor agreed to pay all amounts assessed.
South Base Bus Wash System	\$1,629.58	\$1,629.58	N/S Corporation workers performed electrical and plumbing work. They were paid at Iron Worker prevailing wage rates. Contractor agreed to pay all amounts assessed.
South Base Bus Wash System	\$1,282.71	\$1,282.71	QPS workers were paid at less than the required prevailing wage rates. Contractor agreed to pay all amounts assessed.
South Terminal and Santa Clara Stations Improvements Project	\$133.84	\$133.84	Satellite Painting worker was not paid for time traveled between the job site and company yard to dispose of construction refuse. Contractor agreed to pay all amounts assessed.
Total	\$10,613.66	\$10,613.66	

E. For any amount identified in item C 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
None										
Total										

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

Project Name	Contractor	Nature of Violation	ODL Case #	Current Status
None				

G. 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: _____

H. 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: _____
