



Public Works – Prevailing Wage Unit

Pre-Construction Conference Packet

Pre-Construction Conference Date:

Labor Compliance Officer:

Prime Contractor:

Bid #:

Project Title:

- ☐ This project is subject to prevailing wage requirements of Davis Bacon and Related Acts.
- ☐ This project is subject to State Prevailing Wage requirements.

Prime contractor is responsible for providing City staff with all required reports for each contractor performing work for this project. Prime contractor must review reports for completion and accuracy prior to submission.

Progress payments may be withheld if reports are not on time, accurate and complete.

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Checklist of Labor Law Requirements

(In accordance with CA Labor Code § 1771.5 and CCR § 16421)

Pre-Job Conference Date: _____ Prime Contractor: _____
LCO Representative: _____ Bid No.: _____
Project Title: _____

The Federal and State Labor law requirements applicable to the contract are composed of but not limited to the following items:

- 1) **Payment of Prevailing Wage** The contractor's duty to pay prevailing wages under Labor Code Section 1770 *et seq.*, should the project exceed the exemption amounts;
- 2) **Apprentices** The contractor's duty to employ registered apprentices on the public works project under Labor Code Section 1777.5;
- 3) **Penalties** The penalties for failure to pay prevailing wages (for non-exempt projects) and employ apprentices including forfeitures and debarment under Labor Code Sections 1775 and 1777.7;
- 4) **Certified Payroll Records** The requirement to keep and submit copies upon request of certified payroll records under Labor Code Section 1776., and penalties for failure to do so under Labor Code Section 1776(g);
- 5) **Nondiscrimination in Employment** The prohibition against employment discrimination under Labor Code Section 1777.6, the Government Code, and Title VII of the Civil Rights Act of 1964;
- 6) **Kickback Prohibition** The prohibition against accepting or extracting kickbacks from employee wages under Labor Code Section 1778;
- 7) **Acceptance of Fees Prohibition** The prohibition against accepting fees for registering any person for public work under Labor Code Section 1779; or for filing work orders on public works under Labor Code Section 1780;
- 8) **Listing of Subcontractors** The requirement to list all subcontractors under Public Contract Code Section 4100 *et seq.*;
- 9) **Proper Licensing** The requirement to be properly licensed and to require all subcontractors to be properly licensed and the penalty for employing workers while unlicensed under Labor Code Section 1021 and under the California Contractors License Law, found at Business and Professions Code Section 7000 *et seq.*;
- 10) **Unfair Competition Prohibited** The prohibition against unfair competition under Business and Professions Code Sections 17200-17208;
- 11) **Workers' Compensation Insurance** The requirement that the contractor be properly insured for Workers Compensation under Labor Code Section 1861;
- 12) **OSHA** The requirement that the contractor abide by the Occupational, Safety and Health laws and regulations that apply to the particular construction project;
- 13) **Undocumented Workers** The federal prohibition against hiring undocumented workers, and the requirement to secure proof of eligibility/citizenship from all workers;
- 14) **Itemized Wage Statements** The requirement to provide itemized wage statements to employees under Labor Code section 226.

I acknowledge that I have been informed and am aware of the foregoing requirements presented by the City of San Diego in accordance to California Labor Code § 1771.5 and CCR § 16421.

Name of Contractor's Representative

Signature of Contractor's Authorized Representative

Date

General Information:

All Contractors (regardless of tier) must adhere to Prevailing Wage reporting requirements and applicable State and Federal Labor Law Requirements.

Substitution (subcontractor change) of any listed subcontractor requires written approval by the City prior to performance. Violations subject prime contractor to sanctions as stipulated in *Subletting and Subcontracting Fair Practices Act* of the Public Contract Code.

Pertaining to Whitebook 2018 Edition. Part 0, Section A, 0-8 of the Whitebook contains general Equal Opportunity Program requirements for substitution. In addition, Chapter 0, Section B, 0-9 of the Whitebook states that evidence of fraud or discrimination in substitution of subcontractors will result in sanctions including assessment of penalty fines, termination of contract or debarment. This section does not replace applicable California Public Contract Code. Contact compliance officer for previous Whitebook editions.

Posters: Equal Opportunity posters must be displayed publicly at job site; contractor will construct a portable stand to meet criteria for public visibility, if necessary (<http://www.eeoc.gov/employers/poster.cfm>). Applicable wage rates must be posted at all prevailing wage job sites. The City of San Diego's Approval of Labor Compliance Program Letter on page 23, must be posted on the job site.

In addition, the Davis-Bacon poster (<https://www.dol.gov/whd/regs/compliance/posters/davis.htm>) must be on display for all federally funded construction. Additional postings may be required depending on the funding source. Refer to funding agency requirements in the contract documents for additional requirements.

Reports Due at Project Start:

Contractor/Subcontractor/Vendor Contact List must include contact information for the prime contractor as well as all subcontractors (regardless of tier) and vendors. List must also include all trades and crafts to be used on the project.

Public Works Contract Award Information [DAS 140]: Must be submitted for each apprenticeable trade by the prime and all subcontractors. Contractors must list anticipated dates and number of apprentices to be employed and journeyman level hours. Original is sent to each apprenticeship committee; copy to City. This form is not a request for dispatch of apprentices; contractors must make a separate request for dispatch. Proof of submission must be provided to the Labor Compliance Officer.

Request for Dispatch of an Apprentice [DAS 142]: Used to request the dispatch of an apprentice from the Apprenticeship Committee for the crafts and trades a contractor will use on the project. Must be submitted at least 72 hours prior to work commencing. Originals are sent to each apprenticeship committee; a copy to City. Proof of submission must be provided to the Labor Compliance Officer.

Fringe Benefit Statement Form: Required to be submitted before the start of a project and at any time that there are changes to the amounts or the way benefits are paid, throughout the life of the project. The statement should list the names of the approved plans or programs used to maintain the contractor's fringe benefits. If contractors pay fringe benefits in their employees' hourly wage they should indicate "IN CASH" on their statement.

The Authorized Signatory Form: Must be signed by the company's owner or a designee. If delegating signatory authorization, both names must appear and remain current. The designee is usually the person preparing and submitting the payroll reports and other labor compliance forms.

Authorization for Payroll Deduction: Specifies any payroll deductions (i.e. garnishments, child support, etc.) taken from employees paychecks. The form is required to be signed by the affected employee.

Reports Due Weekly:

You and your Subcontractors (regardless of tier) shall submit **weekly certified payrolls** reflecting the wages of all yours and Subcontractors' employees engaged in the work online via Prism®, the City's web based labor compliance program, as specified under 2-16, "CONTRACTOR REGISTRATION AND ELECTRONIC REPORTING SYSTEM" of the Whitebook.

Your attention is directed to the City of San Diego Labor Compliance Program, Section IV, pages 4-7, and the State of California Labor Code §§1771.5(b) and 1776 (Stats. 1978, Ch. 1249). These require, in part, that you and your Subcontractors maintain and furnish to the City, at a designated time, a certified copy of each weekly payroll containing a statement of compliance signed under penalty of perjury.

Statement of Compliance: Each Certified Payroll Report must be accompanied by a Statement of Compliance which certifies the information contained in the payroll report is true and correct. Payroll reports will be rejected if the Statement of Compliance is not included

Statement of Non-Performance: Submitted when no work has been performed on a project for one week or longer

Reports Due Monthly:

You shall submit the following reports using the City's web-based contract compliance portal Prism®, in accordance with Part 0, Section A, 0-12. *Contract Records and Reports* of The Whitebook.

Monthly Payment/Invoicing. You and your Subcontractors and Suppliers shall submit Monthly Payment Reporting by the 5th day of the subsequent month. These reports are to be submitted through Prism®, the City's web based labor compliance program.

Incomplete and/or delinquent reporting may cause payment delays, non-payment of invoices, or both.

Training Fund Contributions [CAC2]: Training Fund Contributions are due on the 15th of each month. Contributions must be made even if the employer is not training apprentices, and they may not be made directly to employees. The training fund contributions rates are based on the applicable wage determination for an employee's craft.

Reports Due at end of Project:

Final Summary Report: You shall submit your Final Payment Report, including all subcontracting activities, to the City within 15 Days after the Work has been accepted. Failure to comply may result in assessment of liquidated damages or withholding of retention. The City will review and verify 100% of subcontract participation reported in the Final Payment Reporting prior to approval and release of final retention to you.

Funding Agency Reporting Requirements:

This project is funded through:

The funding agency requires submittal of the following document(s):

State Prevailing Wage Determinations

Wage rates are set for each classification of crafts and trades. Rates are usually based on regional collective bargaining agreements. **The Bid Advertise Date determines the applicable General Prevailing Wage Determination.**

State wage rates are available at the CA Division of Labor Statistics and Research web page. A single asterisk (*) after a wage expiration date indicates this rate is in effect for the duration of the project. Two asterisks (**) indicate this wage is effective until the expiration date and a rate increase has been determined for work performed after this date.

State wage determinations are published twice a year, February 22 and August 22, and are effective 10 days after issuance. Please be cognizant that increase dates do vary. Contact Division of Labor Statistics and Research (415) 703-4774 for new rates after 10 days from the expiration date if no subsequent determination is issued.

For additional information visit:

<http://www.dir.ca.gov>

http://www.dir.ca.gov/OPRL/statistics_research.html

http://www.dir.ca.gov/OPRL/statistics_and_databases.html

MORE Information on prevailing wage laws can be found on:

<https://www.dir.ca.gov/public-works/CaliforniaPrevailingWageLaws.pdf>

Federal Wage Determinations

The Davis Bacon Act (DBA) requires the payment of prevailing wage rates (which are determined by the U.S. Department of Labor to all laborers and mechanics on Federal government construction projects in excess of \$2,000. Construction includes alterations and/or repair, including painting and decorating of public buildings or public works.

The Federal Wage Determination can be found online by accessing the following website:

<https://beta.sam.gov/help/wage-determinations>

Publication Date:

There is no set date that the Federal Wage Determination is published; it is modified as needed. You will need to use the date that is associated with your bid advertisement. Please be mindful of any modifications via addenda issued prior to bid closing.

The applicable Federal Wage Determination is good for the life of the project. All contractors must post a copy of the applicable State and/or Federal Wage Determination on site. Contractors must pay the higher of the two rates (State vs Federal).

Apprentices on Public Works Projects

The contractor shall abide by the requirements of Sections 1777.5, 1777.6, and 1777.7 of the State of California Labor Code concerning the employment of apprentices by a Contractor and any Subcontractor performing a public works contract.

Notification of Contract Award (DAS140)

Contractors must submit Contract Award Information (DAS 140) to every apprenticeship program in the geographic area of the public works project, for each craft you intend to employ on the project.

If you are approved to train apprentices by a program, please provide a copy of Agreement to Train Apprentices (DAS 7) to your Labor Compliance Officer.

Employment of Apprentices (DAS142)

- All contractors (who are not already employing sufficient apprentices) are required to request dispatch (either consecutively or simultaneously) from all approved apprenticeship programs in the geographical area of the project.
- All contractors who employ apprentices but are not meeting the required ratio for their craft must request dispatch from any other programs in their craft that exist in the geographical area of the project
- All contractors are to give the approved apprenticeship programs written notice of the request for dispatch at least 72 hours in advance. Previously 48 hours advance notice was required.

Approved Apprenticeship Programs

You can determine which apprenticeship programs are approved in specific geographic locations by searching using the following link <http://www.dir.ca.gov/Databases/das/pwaddrstart.asp>.

Apprenticeable Crafts

A craft's determination will indicate if it is apprenticeable. If you are unable to locate your occupation/craft please contact the San Diego County DAS Office for assistance. Their information can be found at http://www.dir.ca.gov/das/DAS_Offices.htm.

Apprentices employed on federally funded projects must be registered in a bona fide apprenticeship program recognized by the United States Department of Labor. Refer to your contract documents for any additional funding agency apprenticeship requirements.

Training Fund Contributions

All apprenticeable trades require payment to approved training programs. Refer to the DIR for applicable rates and programs. Proof of payment must be provided to the Labor Compliance Officer upon request.

List of Trades/Crafts Instructions

All contractors working on projects subject to prevailing wage requirements should submit to the City's Prevailing Wage Unit:

- 1) List of crafts and/or trades for work to be performed by your firm and each subcontractor.

Example:

ACCEPTABLE

TRADE/CRAFT	CLASSIFICATION	DETERMINATION NUMBER
LABORER	Laborer: Engineering Construction Group 1	SD-23-102-3-2014-2
OPERATING ENGINEER	OPERATING ENGINEER Group 12	SD-23-63-3-2016-1
CARPENTER	Carpenter (Heavy and Highway Work)	SD-23-31-4-2015-2
LABORER	Laborer (Engineer Construction) Period 4	2016-2

NOT ACCEPTABLE

TRADE/CRAFT	CLASSIFICATION	DETERMINATION NUMBER
LABORER	Laborer Engineering	2014-2
CARPENTER	Carpenter	SD-23-31-4-2015-2
	Apprentice	2016-2
	Plastering	

- 2) The name, contact person, business address, telephone (including area code) and e-mail address for the prime contractor and each subcontractor along with the specific dollar amount of each subcontract. If different from the specified business address, provide address and telephone number of the facility where payroll records are located and maintained. Also, please provide the anticipated start and end dates for each contractor.

NOTE: You must list all subcontractors, vendors, and suppliers, regardless of dollar amount and tier level.

PUBLIC WORKS CONTRACT AWARD INFORMATION

Contract award information must be sent to your Apprenticeship Committee if you are approved to train. If you are not approved to train, you must send the information (which may be this form) to ALL applicable Apprenticeship Committees in your craft or trade in the area of the site of the public work. Go to: <http://www.dir.ca.gov/das/PublicWorksForms.htm> for information about programs in your area and trade. You may also consult your local Division of Apprenticeship Standards (DAS) office whose telephone number may be found in your local directory under California, State of, Industrial Relations, Division of Apprenticeship Standards.

Do not send this form to the Division of Apprenticeship Standards.

NAME OF YOUR COMPANY	CONTRACTOR'S STATE LICENSE NO
MAILING ADDRESS- NUMBER & STREET, CITY, ZIP CODE	AREA CODE & TELEPHONE NO.
NAME & ADDRESS OF PUBLIC WORKS PROJECT	DATE YOUR CONTRACT EXECUTED
	DATE OF EXPECTED OR ACTUAL START OF PROJECT
NAME & ADDRESS OF PUBLIC AGENCY AWARDED CONTRACT	ESTIMATED NUMBER OF JOURNEYMEN HOURS
	OCCUPATION OF APPRENTICE
THIS FORM IS BEING SENT TO: (NAME & ADDRESS OF APPRENTICESHIP PROGRAM(S))	ESTIMATED NUMBER OF APPRENTICE HOURS
	APPROXIMATE DATES TO BE EMPLOYED

This is not a request for dispatch of apprentices.

Contractors must make a separate request for actual dispatch, in accordance with Section 230.1(a) California Code of Regulations

Check One Of The Boxes Below

1. ☐ We are already approved to train apprentices by the _____
Apprenticeship Committee. We will employ and train under their Standards. Enter name of the Committee
2. ☐ We will comply with the standards of _____
Apprenticeship Committee for the duration of this job only. Enter name of the Committee
3. ☐ We will employ and train apprentices in accordance with the California Apprenticeship Council regulations, including § 230.1 (c) which requires that apprentices employed on public projects can only be assigned to perform work of the craft or trade to which the apprentice is registered and that the apprentices must at all times work with or under the direct supervision of journeyman/men.

Signature _____

Date _____

Typed Name _____

Title _____

**State of California - Department of Industrial Relations DIVISION
OF APPRENTICESHIP STANDARDS**



REQUEST FOR DISPATCH OF AN APPRENTICE – DAS 142 FORM

DO NOT SEND THIS FORM TO DAS

You may use this form to request dispatch of an apprentice from the Apprenticeship Committee in the craft or trade in the area of the public work. Go to: <http://www.dir.ca.gov/DAS/PublicWorksForms.htm> for information about programs in your area and trade. You may also consult your local Division Apprenticeship Standards (DAS) office whose telephone number may be found in your local directory under California, State of, Industrial Relations, Division of Apprenticeship Standards. **Except for projects with less than 40 hours of journeyman work, you must request and employ apprentices in no less than 8 hour increments.**

Date: _____	Contractor Requesting Dispatch:
To Applicable Apprenticeship Committee:	Name: _____
Name: _____	Address: _____
Address: _____	_____
_____	License No. _____
Tel. No. _____ Fax No. _____	Tel. No. _____ Fax No. _____

Project Information:

Contract No. _____

Name of the Project: _____

Address: _____

Dispatch Request Information:

Number of Apprentice(s) Needed: _____ **Craft or Trade:** _____

Date Apprentice(s) to Report: _____ (72 hrs. notice required) **Time to Report:** _____

Name of Person to Report to: _____

Address to Report to: _____

*You may use this form to make your written request for the dispatch of an apprentice. Requests for dispatch must be in writing and submitted at least 72 hours in advance (excluding weekends and holidays) via first class mail, fax or email. **Proof of submission may be required.** Please take note of California Code of Regulations, Title 8, § 230.1 (a) for all applicable requirements regarding apprenticeship requests and/or visit*

<http://www.dir.ca.gov/DAS/DASApprenticesOnPublicWorksSummaryOfRequirements.htm>

DAS 142 (Revised 12/11)

State of California
Department of Industrial Relations
California Apprenticeship Council
P.O. Box 511283
Los Angeles, CA 90051-7838

TRAINING FUND CONTRIBUTIONS

Please use a separate form for each jobsite, listing the occupations for the jobsite. One check payable to the California Apprenticeship Council may be submitted for all jobsites and/or occupations. Training fund contributions are not accepted by the California Apprenticeship Council for federal public works projects, unless the project is administered by a public agency or for non-apprenticeable occupations such as utility technicians, lead abatement worker, etc.

California Apprenticeship Council

****Training Fund Contributions are due on the 15th of each month****

PLEASE TYPE OR PRINT IN BLACK OR BLUE INK. ALL FIELDS MUST BE FILLED IN TO ENSURE SUCCESSFUL SUBMISSION AND PROCESS OF PAYMENT.

NAME AND ADDRESS OF CONTRACTOR/SUB CONTRACTOR MAKING CONTRIBUTION	CONTRACTOR'S LICENSE NUMBER			
	CONTRACT OR PROJECT NUMBER			
	JOBSITE LOCATION (INCLUDE COUNTY) IF APPLICABLE - GIVE NAME OF SCHOOL, HOSPITAL, BUILDING, etc.			
NAME AND ADDRESS OF PUBLIC AGENCY AWARDDING CONTRACT	PERIOD COVERED BY CONTRIBUTION (FROM - TO)			
CLASSIFICATIONS OF WORKERS (CARPENTER, PLUMBER, ELECTRICIAN, ETC).	COUNTY WORK PERFORMED IN	ALL HOURS	CONTRIBUTION RATE PER HOUR	AMOUNT
TOTAL				
IF APPRENTICES WERE EMPLOYED, PLEASE LIST THE APPRENTICESHIP PROGRAM AND NUMBER OF APPRENTICE HOURS WORKED				
TYPE OR PRINT YOUR NAME AND TITLE			DATE	
EMAIL			AREA CODE & TELEPHONE NUMBER	

Fringe Benefit Statement

Contract Bid No.:	Contract Name:	Today's Date:
Contractor/Subcontractor:	Address:	

In order that the proper Fringe Benefit rates can be verified when checking payrolls on the above contract, the hourly rates for fringe benefits, subsistence and/or travel allowance payment made for employees on the various classes of work are tabulated below.

Classification:	Effective Date:	Subsistence or Travel Pay: \$ _____
Employee Name (if applicable):		
Health & Welfare \$ _____	PAID TO: Name: _____ Address/Phone: _____	
Pension \$ _____	PAID TO: Name: _____ Address/Phone: _____	
Vacation/ Holiday \$ _____	PAID TO: Name: _____ Address/Phone: _____	
Training \$ _____	PAID TO: Name: _____ Address/Phone: _____	
Other \$ _____	PAID TO: Name: _____ Address/Phone: _____	
Classification:	Effective Date:	Subsistence or Travel Pay: \$ _____
Employee Name (if applicable):		
Health & Welfare \$ _____	PAID TO: Name: _____ Address/Phone: _____	
Pension \$ _____	PAID TO: Name: _____ Address/Phone: _____	
Vacation/ Holiday \$ _____	PAID TO: Name: _____ Address/Phone: _____	
Training \$ _____	PAID TO: Name: _____ Address/Phone: _____	
Other \$ _____	PAID TO: Name: _____ Address/Phone: _____	
Classification:	Effective Date:	Subsistence or Travel Pay: \$ _____
Employee Name (if applicable):		
Health & Welfare \$ _____	PAID TO: Name: _____ Address/Phone: _____	
Pension \$ _____	PAID TO: Name: _____ Address/Phone: _____	
Vacation/ Holiday \$ _____	PAID TO: Name: _____ Address/Phone: _____	
Training \$ _____	PAID TO: Name: _____ Address/Phone: _____	
Other \$ _____	PAID TO: Name: _____ Address/Phone: _____	

Revised statements must be submitted during the progress of work should a change in rate of any of the classifications be made.

Submitted By: Name/Title (Please Print)	Signature:
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AUTHORIZED SIGNATORY

Project Name: _____
Bid Number: _____
Company: _____
Address: _____
City, State, Zip: _____
Date: _____

Prevailing Wage Unit
City of San Diego
9573 Chesapeake Dr., MS18
San Diego, CA 92123

This correspondence is to affirm that the person(s) identified below have the authority under penalty of perjury to so affirm, that the records are originals or are full, true, and correct copies of the original and depict truly, fully and correctly, the craft or type of work performed, hours and days worked, and the amounts by category listed, disbursed by way of cash, check, or in whatever form or manner to each person by job classification and/or skill pursuant to a public works contract. **To affirm signatory authorization, or to delegate signatory authorization, the person identified below must be owners or officers of the company. If delegating signatory authorization, both names must appear and remain current.**

_____ Print Name of Authorized Signatory Owner/Officer	_____ Print Name of Approved Authorized Signatory
_____ Signature of Authorized Signatory	_____ Signature of Authorized Signatory
_____ Title of Authorized Signatory	_____ Title of Authorized Signatory

If authorization changes resubmit form with original signature

AUTHORIZATION FOR PAYROLL DEDUCTION

Project Name: _____

Bid Number: _____

Employee Name: _____

I hereby authorize, _____
(Name of Company)

to deduct the following from my payroll check:

Amount of deduction: _____

Start of deduction: _____

Frequency of deduction: _____

Termination of deduction: _____

Reason(s) for deduction:

Employee's Signature

Date



PUBLIC WORKS PAYROLL REPORTING FORM

NAME OF CONTRACTOR: OR SUBCONTRACTOR:											CONTRACTOR'S LICENSE NO.: SPECIALITY LICENSE NO.:											ADDRESS:										
PAYROLL NO.:						FOR WEEK ENDING:						SELF-INSURED CERTIFICATE NO.:						PROJECT OR CONTRACT NO.:														
						(4) DAY						(5)		(6)		WORKERS' COMPENSATION POLICY NO.:						PROJECT AND LOCATION:										
(1) NAME, ADDRESS AND SOCIAL SECURITY NUMBER OF EMPLOYEE	(2) NO. OF WITH- HOLDING EXEMPTIONS	(3) WORK CLASSIFICATION		M	T	W	TH	F	S	S	TOTAL HOURS	HOURLY RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS, CONTRIBUTIONS AND PAYMENTS								(9) NET WGS PAID FOR WEEK		CHECK NO.								
				DATE																												
				HOURS WORKED EACH DAY																												
			S										THIS PROJECT	ALL PROJECTS	FED. TAX	FICA (SOC. SEC.)	STATE TAX	SDI	VAC/ HOLIDAY	HEALTH & WELF.	PENSION											
				O																												
			S										THIS PROJECT	ALL PROJECTS	FED. TAX	FICA (SOC. SEC.)	STATE TAX	SDI	VAC/ HOLIDAY	HEALTH & WELF.	PENSION											
				O																												
			S										THIS PROJECT	ALL PROJECTS	FED. TAX	FICA (SOC. SEC.)	STATE TAX	SDI	VAC/ HOLIDAY	HEALTH & WELF.	PENSION											
				O																												
			S										THIS PROJECT	ALL PROJECTS	FED. TAX	FICA (SOC. SEC.)	STATE TAX	SDI	VAC/ HOLIDAY	HEALTH & WELF.	PENSION											
				O																												
			S										THIS PROJECT	ALL PROJECTS	FED. TAX	FICA (SOC. SEC.)	STATE TAX	SDI	VAC/ HOLIDAY	HEALTH & WELF.	PENSION											
				O																												

STATEMENT OF COMPLIANCE

Date _____

Payroll Number _____

Bid No. _____

I, _____ do hereby **certify under penalty of perjury:**
(Name of Signatory Party) (Title)

(1) That I pay or supervise the payment of the persons employed by _____ on
(Contractor or Subcontractor)

_____, that during the payroll commencing on the ____ day of _____,
(Project Title)

20____ and ending the ____ day of _____, 20____, all persons employed on said project have been paid their full weekly wages earned, that no rebates have

been or will be made either directly or indirectly to or on behalf of said _____ from the full weekly wages earned
(Contractor or Subcontractor)

by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions, as **described below:**

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classification set forth therein for each laborer or mechanic conform with the work he or she performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS OR PROGRAMS

- ☐ In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in Section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

- ☐ Each laborer or mechanic listed in the above referenced payroll has been paid as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in Section 4(c) below:

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION
REMARKS:	
NAME AND TITLE	SIGNATURE

On Federally funded projects, permissible deductions are defined in Regulations, Part 3 (29 CFR Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. 276c).

Also, the willful falsification of any of the above statements may subject the contractor or subcontractor to civil or criminal prosecution (see Section 1001) of Title 18 and Section 231 of Title 31 of the United States Code).

Non-Performance Payroll Report

(Statement of Non-Performance)

Date: _____

Payroll # _____

Contractor Name: _____

I _____ do hereby state that no person(s) were employed on the
(Name of Signatory Party)

construction of _____ Bid No: _____
(Project Title)

during the payroll period commencing on the _____ day of _____, 20____,

and ending on the _____ day of _____, 20_____.

Signature of Authorized Representative

Title



FINAL SUMMARY REPORT

Bid No.: _____ Project Name: _____

Contractor: _____ Address: _____

Contact: _____ Phone: _____ Email: _____

Page: _____ of _____

San Diego Municipal Code Sections 22.2701 through 22.2708 requires all Contractors doing business with the City, and their subcontractors to comply with the City's Equal Employment Opportunity Outreach Program.

The Contractor shall maintain records of all subcontracts entered into with all firms, all project invoices received from Subcontractors and Suppliers, all purchases of materials and services from Suppliers, and all joint venture participation. Records shall show name, telephone number including area code, and business address of each Subcontractor, Supplier, or Joint Venture Partner, and the total amount paid to each firm.

These records maintained shall be consolidated into a Final Summary Report, certified as correct by an authorized representative of the Prime Contractor. Report shall be submitted to the Resident Engineer with a copy to the EOC Program Manager at: 1200 Third Avenue, Suite 200, San Diego, CA 92101, **as indicated in the Contract Records and Reports section of the City's Whitebook, Standard Specifications for Public Works Construction** associated with this contract. A Notice of Completion and Acceptance **will not** be filed by the City until after its review of the Final Summary Report.

Subcontractor/Supplier/Trucker Name, Address, Telephone, Email	Certification Type (D/DV/EL/M/SL/WBE)	Scope of Work	Original Subcontract Amount	Amount Paid to Date	Retention Owed/Final Amount Owed	Reason for Discrepancy (Change Order Nos. and amount)

I certify under penalty of perjury that the information listed on this form is true and correct:

Authorized Signatory/Representative

Print Name and Title

Date

Project Name: _____ Contractor: _____ Page: ____ of ____

Subcontractor/Supplier/Trucker Name, Address, Telephone, Email	Certification Type (D/DV/EL/M/SL/WBE)	Scope of Work	Original Subcontract Amount	Amount Paid to Date	Retention Owed/Final Amount Owed	Reason for Discrepancy (Change Order Nos. and amount)

I certify under penalty of perjury that the information listed on this form is true and correct:

Authorized Signatory/Representative

Print Name and Title

Date

STATE OF CALIFORNIA

Edmund G. Brown Jr., Governor

DEPARTMENT OF INDUSTRIAL RELATIONS

Office of the Director
1515 Clay Street, Suite 901
Oakland, California 94612
Tel: (510) 622-3965

MAILING ADDRESS:

P. O. Box 420603
San Francisco, CA 94142-0603



January 31, 2012

City of San Diego
Henry Foster - Program Manager
1200 Third Avenue, Mail Station 56P
San Diego, California 92101

RE: Approval of Application to Continue Using Previously-Approved Labor
Compliance Program [ID No. 2003.00323] in Lieu of CMU

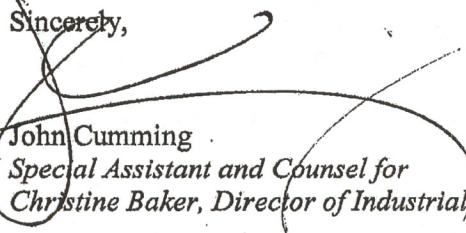
Dear Mr. Foster:

In accordance with Title 8, California Code Regulations, section 16455, the City of San Diego is granted approval to continue operating its previously approved Labor Compliance Program, ID No. 2003.00323, on projects subject to the requirements of Stats. 2011, Chap. 378 (AB 436) and 8 Cal. Code Reg. section 16450, in lieu of paying this Department for compliance monitoring and enforcement on those projects. This exemption will remain in effect as long as your agency remains in compliance with its obligations and responsibilities as an approved labor compliance program and does not contract with a third party to operate all or part of its LCP, except as permitted by section 16455(c) of the regulations.

An LCP must comply with the requirements of Title 8, California Code of Regulations, sections 16421 through 16439, as well as with all other statutes and regulations pertaining to the monitoring and enforcement of the state's prevailing wage requirements. Whether or not your agency's projects are subject to the notice requirements of section 16451(a) of the regulations, you must send timely notice of all contract awards when required by Labor Code section 1773.3 (projects of \$30,000 or more that use apprenticeable crafts), using the electronic PWC-100 form. A link to this form can be found on the CMU website at <http://www.dir.ca.gov/dlse/cmu/cmu.html>.

Additional information and resources pertaining to labor compliance programs is available on the Department's website at <http://www.dir.ca.gov/lcp.asp>. Questions about enforcement policy must be directed to the Division of Labor Standards Enforcement. If you have any other questions, including about this notice, please contact Program Analyst Victor Osorio at 510/286-1192.

Sincerely,


John Cumming
Special Assistant and Counsel for
Christine Baker, Director of Industrial Relations

cc: Susan Nakagama, Regional Director, Division of Labor Standards Enforcement