Allan Hancock College and SMVCA

New Laws Workshop
AHC Student Services Center, Room G-106
February 25, 2015

SB 854
ALLAN HANCOCK COLLEGE UPCCA INFORMAL BIDDING
### SB 854 KEY CHANGES

#### DIR REGISTRATION

- Required to be “qualified” to: (i) bid public works; (ii) be listed subcontractor; and (iii) perform public works
- All public works contractors and subcontractors
- Registration fees to State Public Works Enforcement Fund

#### DLSE PWR MONITORING

- CPR submittal to DLSE
- DLSE monitors and enforces PWR; all public works
- Eliminates DIR CMU Labor Compliance
- DIR registration administrative costs & DLSE PWR activities funded by DIR registration fees

#### CPRs

- Monthly direct submittal to DLSE
- PLA exception
SB 854 IMPLEMENTATION TIMELINE

- June, 2014: SB 854 Signed
- July 1, 2014: DIR Contractor Registration Begins
- Jan. 1, 2015: DIR CMU Projects Convert to DLSE PWR Monitoring/Enforcement
- Mar. 1, 2015: District Notice to DIR of Public Works Contract Award
- Apr. 1, 2015: Calls for Bids and Contract Documents Incorporate Notice of DLSE Monitoring and CPR Submittal to DLSE
- Jan. 1, 2016: DIR Contractor Registration Required (Bids submitted after March 1)
- DIR Contractor Registration Required (Contracts Awarded after April 1)
- Contractors Submit CPRs to DLSE for all Public Works
SUMMARY

DIR contractor registration administration
- DIR maintains registered contractors database
- Contractors submit CPRs to DLSE
- DLSE monitors/enforces PWR
- DIR CMU Labor Compliance Program eliminated
- All public works projects

DIR/Labor Commissioner

Contractors & Subcontractors

- DIR Registration
- DSLE CPR submittal
- Public Contract Code §4107 Substitution of Non-Registered Subcontractor

Public Owners

- Notify DIR of public works contract award
- Require DLSE CPR submittal
- Establish DLSE authority to monitor and enforce PWR
- Establish DIR registration requirements
CONTRACTS AFFECTED BY DIR REGISTRATION REQUIREMENTS

- Construction (capital/modernization)
  Design-Bid-Build Projects and Projects completed by alternative delivery mechanisms (design-build, multiple-prime, lease-leaseback, etc.)
- Maintenance & Repairs (above and below bid threshold )
- Carpets
- Fixed and free-standing “modular office systems”
- Inspection/Survey Services
- Energy Conservation (Government Code §4217 and Prop 39)
- Project Waste Hauling (soils, concrete, asphalt, construction debris)
- Uniform Public Construction Cost Accounting
CONTRACTOR DIR REGISTRATION; LABOR CODE §1725.5

- Annual registration
  - Initial year (July 1, 2014) $300 registration fee
  - Same registration year (7/1 – 6/30) for all contractors
  - Subsequent years; “uniform amount” adjusted to support DLSE PWR activities

- Conditions to DIR Registration
  - Workers Compensation Insurance
  - Contractors’ License, if applicable
  - No delinquent liability for backwages
  - Not subject to debarment
  - No public works bid, award of public works contract or performance of public work in prior 12 months without DIR Registration
EFFECT OF NON-DIR REGISTRATION

- If public work bid, award of public works contract or performance of public contract in prior 12 months without DIR Registration, allowed to register if:
  - No violation of DIR Registration in prior 12 months
  - Payment of penalty registration fee

- Contractor failing to renew DIR Registration “prohibited from bidding on or engaging in the performance of any contract for public work” until renewal of DIR Registration
  - 90 day period after registration expiration for retroactive renewal
Bid Proposal Responsiveness
Labor Code §1771.1
(c) An inadvertent error in listing a subcontractor who is not registered pursuant to Section 1725.5 in a bid proposal shall not be grounds for filing a bid protest or grounds for considering the bid nonresponsive, provided that any of the following apply:

(1) The subcontractor is registered prior to the bid opening.
(2) Within 24 hours after the bid opening, the subcontractor is registered and has paid the penalty registration fee specified in subparagraph (E) of paragraph (2) of subdivision (a) of Section 1725.5.
(3) The subcontractor is replaced by another registered subcontractor pursuant to Section 4107 of the Public Contract Code.
DISTRICT & DIR REGISTRATION REQUIREMENTS

- Call for Bids/Advertisement; Notice of DLSE PWR Monitoring and DIR Registration

- DIR Registration Verification Form

- General Conditions Pay App Requirements re: CPRs

- Pre-Qualification Application Confirmation of DIR Registration Status
DLSE PWR ACTIVITIES

 Contractors Submit CPRs to DLSE

- Monthly submittal, or more frequently if required by project contract documents
- E-filing of CPRs in DLSE prescribed format
- PLA/PSA Exception

 DLSE PWR monitoring / enforcement

- Immediately effective for former DIR CMU projects (state-wide bond funded, design-build projects)
- Projects awarded after April 1, 2015
- Other projects designated by DLSE
- All new and on-going projects as of January 1, 2016
CPRs AND APPLICATION FOR PAYMENTS

Typical current practice

- Contract provisions require submittal of CPRs concurrently with submittal of Pay App as condition for District to process and disburse Progress Payment
- No disbursement of Progress Payment without concurrent submittal of CPRs to District for period covered by Progress Payment

Alternatives for handling CPRs and Progress Payments After SB 854

- Eliminate verification of CPR submittal and/or submittal of CPR copies to District as condition for processing and disbursing Progress Payment
- Require certification of CPR submittal to DLSE as condition for processing and disbursing Progress Payment
- Require certification of CPR submittal to DLSE AND submittal of CPR copies to District as condition for processing and disbursing Progress Payment
- Form for Contractor Certification of CPR Submittal to DLSE and/or submittal of CPR copies to District
<table>
<thead>
<tr>
<th><strong>Labor Code</strong></th>
<th><strong>Description</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Labor Code §1725.5 Added</td>
<td>DIR contractor registration process; registration criteria and implementation of DIR registration requirements</td>
</tr>
<tr>
<td>Labor Code §1771.1 Added</td>
<td>DIR registration required to be qualified to: (i) bid public works; (ii) public contract award; and (iii) public contract performance; process for handling “inadvertent error” listing unregistered subcontractor</td>
</tr>
<tr>
<td>Labor Code §1771.3 existing provisions repealed; and new provisions enacted</td>
<td>State Public Works Enforcement Fund</td>
</tr>
<tr>
<td>Labor Code §1771.4 added</td>
<td>Call for bids and contract documents establish contractor’s obligation for DLSE CPR submittal and PWR monitoring/enforcement</td>
</tr>
<tr>
<td>Labor Code § 1773.3 existing provisions repealed and new provisions enacted</td>
<td>District notice to DIR of public works contract award. Prior legislation required DIR notice of contract award only for DIR CMU Projects. As amended, PWC 100 notice to DIR required for all public works contract awarded.</td>
</tr>
<tr>
<td>Education Code §17250.30 and §81704</td>
<td>DIR CMU PWR only for design-build contract awarded before January 1, 2012. Design Build contracts awarded after January 1, 2012 subject to Labor Code §1771.4 CPR submittal to DLSE and DLSE PWR monitoring/enforcement</td>
</tr>
</tbody>
</table>
January, 2015 Board of Trustees action adopting UPCCA

UPCCA affords District discretion to engage in alternative bidding procedures

Project value and alternative bidding procedures under UPCCA

<table>
<thead>
<tr>
<th>UPCCA Bidding Process</th>
<th>Project Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Bid</td>
<td>Less than $45,000</td>
</tr>
<tr>
<td>Informally Bid</td>
<td>$45,000 - $175,000</td>
</tr>
<tr>
<td>Formal Bidding</td>
<td>$175,000 or More</td>
</tr>
</tbody>
</table>
INFORMAL BIDDING PROCEDURES
AT ALLAN HANCOCK COLLEGE

- **Qualified Bidders**
  - By trade/contractors license
  - Annual qualifications process

- **Informally Bid Projects**
  - District notice to pre-qualified contractors only
  - Notice contents; availability of additional details, drawings, etc.
  - Abbreviated bid period; minimum 10 days
  - Contract award to lowest priced responsive proposal
  - Staff authority to award, direct performance
INFORMALLY BID CONTRACT REQUIREMENTS

- **Bonds**
  - Bid Security
  - 100% Payment and Performance Bonds

- **Labor/Employment Practices**
  - Projects require DIR Registration (contractor and all subcontractors)
  - Direct PWR submittals to DLSE
  - Verification of PWR Submittal as condition for payment

- **Insurance**
  - Contractor/subcontractor furnished general liability, builders risk, workers compensation
  - Coverage limits on project-by-project basis
Slide 2

SB 854 Key Changes

**Labor Code §1725.5**

A contractor shall be registered pursuant to this section to be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any public work contract.

**Labor Code §1725.5**

For the purposes of this section “contractor” includes a subcontractor as defined by Section 1722.1

**Labor Code §1722.1**

For the purposes of this chapter, “contractor” and “subcontractor” include a contractor, subcontractor, licensee, officer, agent, or representative thereof, acting in that capacity, when working on public works pursuant to this article and Article 2 (commencing with Section 1770).

**Labor Code §1725.5(b)**

Fees received pursuant to this section shall be deposited in the State Public Works Enforcement Fund established by Section 1771.3 and shall be used only for the purposes specified in that section.
Slide 2, Continued

SB 854 Key Changes

*Labor Code §1771.4(a)(3)*
(3) Each contractor and subcontractor shall furnish the records specified in Section 1776 directly to the Labor Commissioner, in the following manner:

(A) At least monthly or more frequently if specified in the contract with the awarding body.
(B) In a format prescribed by the Labor Commissioner.

*Labor Code §1771.4(a)(4)*
The department shall undertake those activities it deems necessary to monitor and enforce compliance with prevailing wage requirements.

*Labor Code §1771.3(b)*
Moneys in the State Public Works Enforcement Fund shall be used only for the following purposes:

(1) The reasonable costs of administering the registration of contractors and subcontractors to perform public work pursuant to Section 1725.5.

(2) The costs and obligations associated with the administration and enforcement of the requirements of this chapter by the Department of Industrial Relations.

(3) The monitoring and enforcement of any requirement of this code by the Labor Commissioner on a public works project or in connection with the performance of public work as defined pursuant to this chapter.
Slide 4
Summary

Labor Code §1771.1(d)
Failure by a subcontractor to be registered to perform public work as required by subdivision (a) shall be grounds under Section 4107 of the Public Contract Code for the contractor, with the consent of the awarding authority, to substitute a subcontractor who is registered to perform public work pursuant to Section 1725.5 in place of the unregistered subcontractor.

Labor Code §1773.3.

(a) (1) An awarding agency shall provide notice to the Department of Industrial Relations of any public works contract subject to the requirements of this chapter, within five days of the award.

(2) The notice shall be transmitted electronically in a format specified by the department and shall include the name of the contractor, any subcontractor listed on the successful bid, the bid and contract award dates, the contract amount, the estimated start and completion dates, job site location, and any additional information the department specifies that aids in the administration and enforcement of this chapter.

(b) In lieu of responding to any specific request for contract award information, the department may make the information provided by awarding bodies pursuant to this section available for public review on its Internet Web site.

Labor Code §1771.1(b)
“...a bid shall not be accepted nor any contract or subcontract entered into without proof of the contractor or subcontractor’s current registration to perform the public work pursuant to Section 1725.5.”
Slide 5

Contracts Affected by DIR Registration Requirements

California Code of Regulations, Title 8.

§16001 Public Works Subject to Prevailing Wage Law.

(a) General Coverage. State prevailing wage rates apply to all public works contracts as set forth in Labor Code Sections 1720, 1720.2, 1720.3, 1720.4, and 1771.

§16000. Definitions.


§16001(f)

Maintenance. Public works contracts for maintenance are subject to prevailing wage rate payment as set forth in Section 1771 of the Labor Code.

Note: See Article 1 for definition of term “maintenance.”
Slide 5, Continued

Contracts Affected by DIR Registration Requirements

Labor Code §1720(a)

“construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds”

§16000. Definitions.

Maintenance. Includes:

(1) Routine, recurring and usual work for the preservation, protection and keeping of any publicly owned or publicly operated facility (plant, building, structure, ground facility, utility system or any real property) for its intended purposes in a safe and continually usable condition for which it has been designed, improved, constructed, altered or repaired.

(2) Carpentry, electrical, plumbing, glazing, [touchup painting], and other craft work designed to preserve the publicly owned or publicly operated facility in a safe, efficient and continuously usable condition for which it was intended, including repairs, cleaning and other operations on machinery and other equipment permanently attached to the building or realty as fixtures.

Exception: 1: Janitorial or custodial services of a routine, recurring or usual nature is excluded.

Exception: 2: Protection of the sort provided by guards, watchmen, or other security forces is excluded.

(3) Landscape maintenance. See Public Contract Code Section 21002.

Exception: Landscape maintenance work by “sheltered workshops” is excluded.
 Slide 5, Continued

Contracts Affected by DIR Registration Requirements

Public Contract Code §22002(d)(4)

(4) Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.

Labor Code §1720

Public works means:

(a)(5) “laying of carpet in a public building done under contract”

(a)(1) “installation” includes, but is not limited to, the assembly and disassembly of freestanding and affixed modular office systems”

Labor Code §1720(a)(1)

“construction” includes work performed during the design and preconstruction phases of construction, including, but not limited to, inspection and land surveying work
Slide 5, Continued

Contracts Affected by DIR Registration Requirements

GENERAL PREVAILING WAGE DETERMINATION MADE BY THE DIRECTOR OF INDUSTRIAL RELATIONS PURSUANT TO CALIFORNIA LABOR CODE PART 7, CHAPTER 2, ARTICLES 2, SECTIONS 1775, 1776, AND 1776.1

FOR COMMERCIAL BUILDING, HIGHWAY, HEAVY CONSTRUCTION AND DREDGING PROJECTS

CRAFT: #BUILDING/CONSTRUCTION INSPECTOR AND FIELD SOILS AND MATERIAL TESTER

DETERMINATION: NC-63-3-9-2013-1
ISSUE DATE: August 22, 2013
EXPIRATION DATE OF DETERMINATION: June 30, 2014** The rate to be paid for work performed after this date has been determined. If work will extend past this date, the new rate must be paid and should be incorporated in contracts entered into now. Contact the Office of the Director – Research Unit for specific rates at (415) 703-4774.


<table>
<thead>
<tr>
<th>CLASSIFICATION</th>
<th>Basic Hourly Rate</th>
<th>Health and Welfare</th>
<th>Pension</th>
<th>Vacation and Training</th>
<th>Other Payment</th>
<th>Straight-Time Hours</th>
<th>Total Hourly Rate</th>
<th>1 1/2X</th>
<th>1 1/2X</th>
<th>2X</th>
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</thead>
<tbody>
<tr>
<td>Group 1</td>
<td>$41.06</td>
<td>12.63</td>
<td>8.24</td>
<td>5.27</td>
<td>0.33</td>
<td>0.19</td>
<td>8</td>
<td>67.72</td>
<td>88.25</td>
<td>108.78</td>
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<tr>
<td>Group 2</td>
<td>39.06</td>
<td>12.63</td>
<td>8.24</td>
<td>5.27</td>
<td>0.33</td>
<td>0.19</td>
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<td>65.72</td>
<td>85.25</td>
<td>104.78</td>
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<td>Group 3</td>
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<td>12.63</td>
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<td>0.19</td>
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<td>59.58</td>
<td>76.04</td>
<td>92.50</td>
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<td>Group 4</td>
<td>27.69</td>
<td>12.63</td>
<td>8.24</td>
<td>5.27</td>
<td>0.33</td>
<td>0.19</td>
<td>8</td>
<td>54.35</td>
<td>68.195</td>
<td>82.04</td>
</tr>
</tbody>
</table>

# Indicates an apprenticeship craft. The current apprentice wage rates are available on the Internet @ http://www.dir.ca.gov/OPRL/PWAppWage/PWAppWageStart.asp. To obtain any apprentice wage rates as of July 1, 2008 and prior to September 27, 2012, please contact the Division of Apprenticeship Standards or refer to the Division of Apprenticeship Standards’ website at http://www.dir.ca.gov/das/das.html.

* Amount shall be paid for all hours worked up to 173 hours per month.

** Rate applies to the first 4 daily overtime hours, Monday through Friday, and the first 8 hours on Saturday. All other overtime is paid at the Sunday/Holiday overtime rate.

CLASSIFICATIONS:

<table>
<thead>
<tr>
<th>Group 1</th>
<th>Group 2</th>
<th>Group 3</th>
<th>Group 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASNT Level II-III</td>
<td>AWS-CWI</td>
<td>Geotechnical Driller</td>
<td>ACI</td>
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<tr>
<td>DSA Masonry</td>
<td>ICC Certified Structural Inspector</td>
<td>Soils/Asphalt</td>
<td>Drillers Helper</td>
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<tr>
<td>DSA Shoterete</td>
<td>NICET Level III</td>
<td>Earthwork Grading</td>
<td>ICC Fireproofing</td>
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<tr>
<td>Lead Inspector</td>
<td>Shear Wall/Floor System Inspector</td>
<td>Excavation and Backfill</td>
<td>NICET Level 1</td>
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<tr>
<td>NICET Level IV</td>
<td>Building/Construction Inspector</td>
<td>NICET Level II</td>
<td>Proofload Testing</td>
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<tr>
<td>NDT Level Two</td>
<td></td>
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<td>Torque Testing</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>NDT Level One</td>
</tr>
</tbody>
</table>

RECOGNIZED HOLIDAYS: Holidays upon which the general prevailing hourly wage rate for Holiday work shall be paid, shall be all holidays in the collective bargaining agreement, applicable to the particular craft, classification, or type of worker employed on the project, which is on file with the Director of Industrial Relations. If the prevailing rate is not based on a collectively bargained rate, the holidays upon which the prevailing rate shall be paid shall be as provided in Section 6700 of the Government Code. You may obtain the holiday provisions for the current determinations on the Internet at http://www.dir.ca.gov/OPRL/PWD. Holiday provisions for current or superseded determinations may be obtained by contacting the Office of the Director – Research Unit at (415) 703-4774.

TRAVEL AND/OR SUBSISTENCE PAYMENT: In accordance with Labor Code Sections 1773.1 and 1773.9, contractors shall make travel and/or subsistence payments to each worker to execute the work. You may obtain the travel and/or subsistence provisions for the current determinations on the Internet at http://www.dir.ca.gov/OPRL/PWD. Travel and/or subsistence requirements for current or superseded determinations may be obtained by contacting the Office of the Director – Research Unit at (415) 703-4774.
Slide 5, Continued

Labor Code §1720.6
“public work” also means any construction, alteration, demolition, installation, or repair work done under private contract when the following conditions exist:
(a) The work is performed in connection with the construction or maintenance of renewable energy generating capacity or energy efficiency improvements

Labor Code §1720.3
“public works” also means the hauling of refuse from a public works site to an outside disposal location
“hauling of refuse” includes, but is not limited to, hauling soil, sand, gravel, rocks, concrete, asphalt, excavation materials, and construction debris. The “hauling of refuse” shall not include the hauling of recyclable metals…”

Slide 6
Contractor DIR Registration; Labor Code §1725.5

Labor Code §1725.5(a)(1)
Beginning July 1, 2014, register with the Department of Industrial Relations in the manner prescribed by the department and pay an initial nonrefundable application fee of three hundred dollars ($300) to qualify for registration under this section and an annual renewal fee on or before July 1 of each year thereafter. The annual renewal fee shall be in a uniform amount set by the Director of Industrial Relations, and the initial registration and renewal fees may be adjusted no more than annually by the director to support the costs specified in Section 1771.3.
Slide 6, Continued

Contractor DIR Registration; Labor Code §1725.5

**Labor Code §1725.5(a)(2)(A)** Workers’ Compensation coverage that meets the requirements of Division 4 (commencing with Section 3200) and includes sufficient coverage for any worker whom the contractor employs to perform work that is subject to prevailing wage requirements other than a contractor who is separately registered under this section. Coverage may be evidenced by a current and valid certificate of workers’ compensation insurance or certification of self-insurance required under Section 7125 of the Business and Professions Code.

**Labor Code §1725.5(a)(2)(B)** If applicable, the contractor is licensed in accordance with Chapter 9 (commencing with Section 7000) of the Business and Professions Code.

**Labor Code §1725.5(a)(2)(C)** The contractor does not have any delinquent liability to an employee or the state for any assessment of back wages or related damages, interest, fines, or penalties pursuant to any final judgment, order, or determination by a court or any federal, state, or local administrative agency, including a confirmed arbitration award. However, for purposes of this paragraph, the contractor shall not be disqualified for any judgment, order, or determination that is under appeal, provided that the contractor has secured the payment of any amount eventually found due through a bond or other appropriate means.

**Labor Code §1725.5(a)(2)(D)** The contractor is not currently debarred under Section 1777.1 or under any other federal or state law providing for the debarment of contractors from public works.
Contractor DIR Registration; Labor Code §1725.5

Labor Code §1777.1. DLSE Debarment

(a) Whenever a contractor or subcontractor performing a public works project pursuant to this chapter is found by the Labor Commissioner to be in violation of this chapter with intent to defraud...is ineligible for a period of not less than one year or more than three years to do either of the following:
   (1) Bid on or be awarded a contract for a public works project.
   (2) Perform work as a subcontractor on a public works project.

(b) Whenever a contractor or subcontractor performing a public works project pursuant to this chapter is found by the Labor Commissioner to have committed two or more separate willful violations of this chapter...within a three-year period, the contractor or subcontractor or a firm, corporation, partnership, or association in which the contractor or subcontractor has any interest is ineligible for a period up to three years to do either of the following:
   (1) Bid on or be awarded a contract for a public works project.
   (2) Perform work as a subcontractor on a public works project.

(c) Whenever a contractor or subcontractor performing a public works project has failed to provide a timely response to a request by the Division of Labor Standards Enforcement, the Division of Apprenticeship Standards, or the awarding body to produce certified payroll records pursuant to Section 1776, the Labor Commissioner shall notify the contractor or subcontractor that, in addition to any other penalties provided by law, the contractor or subcontractor will be subject to debarment under this section if the certified payroll records are not produced within 30 days after receipt of the written notice. If the commissioner finds that the contractor or subcontractor has failed to comply with Section 1776 by that deadline, unless the commissioner finds that the failure to comply was due to circumstances outside the contractor’s or subcontractor’s control, the contractor or subcontractor or a firm, corporation, partnership, or association in which the contractor or subcontractor has any interest is ineligible for a period of not less than one year and not more than three years to do either of the following:
   (1) Bid on or be awarded a contract for a public works project.
   (2) Perform work as a subcontractor on a public works project.

(d) A willful violation occurs when the contractor or subcontractor knew or reasonably should have known of his or her obligations under the public works law and deliberately fails or refuses to comply with its provisions.

(e) The Labor Commissioner shall publish on the commissioner’s Internet Web site a list of contractors who are ineligible to bid on or be awarded a public works contract, or to perform work as a subcontractor on a public works project pursuant to this chapter.

[Remaining text of (e) not reproduced][§1777.1 (f)(g)(h) and (i) not reproduced]
Slide 6, Continued
Contractor DIR
Registration;
Labor Code §1725.5

http://www.dir.ca.gov/dlse/debar.html

<table>
<thead>
<tr>
<th>Name of contractor</th>
<th>Period of debarment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nixon Electric</td>
<td>8/1/14 through 7/31/17</td>
</tr>
<tr>
<td>Gordon Fulton Nixon, an individual</td>
<td></td>
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<tr>
<td>5624 Faust Ave., Woodland Hills, CA 91367</td>
<td></td>
</tr>
<tr>
<td>CSLB# 796802</td>
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</tr>
<tr>
<td>Decision</td>
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</tr>
<tr>
<td>Neris General Contractors, a California Corporation</td>
<td>2/28/14 through 2/27/17</td>
</tr>
<tr>
<td>Efren Neri, an individual; Servando Neri, an individual</td>
<td></td>
</tr>
<tr>
<td>Rebeca Neri, an individual; Luis Abelardo Castro, an individual</td>
<td></td>
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<tr>
<td>6087 California Ave., Long Beach, CA 90805</td>
<td></td>
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<tr>
<td>CSLB# 797957</td>
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<tr>
<td>Decision</td>
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<tr>
<td>Southland Construction</td>
<td>10/14/14 through 10/13/17</td>
</tr>
<tr>
<td>Reza Mohammed, an individual</td>
<td></td>
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<tr>
<td>3943 Irvine Blvd., #405, Irvine, CA 92602</td>
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<tr>
<td>CSLB# 663784 (expired)</td>
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<tr>
<td>Decision</td>
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</tr>
<tr>
<td>National Drywall Corporation, A Dissolved California Corporation</td>
<td>8/4/14 through 8/3/17</td>
</tr>
<tr>
<td>603 S. Milliken Avenue, Suite F. Ontario, CA 91761</td>
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<tr>
<td>CSLB #834335</td>
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</tr>
<tr>
<td>Miguel Contreras, an Individual and Responsible Managing Officer/CEO/President; Dora Maria Contreras, an Individual and Agent/Officer of the Corporation</td>
<td></td>
</tr>
<tr>
<td>Decision</td>
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<tr>
<td>Tadros &amp; Youssef Construction, Inc. Kamel Shaker Tadros &amp; Makram Youssef Youssef, Individually</td>
<td>5/10/14 through 5/9/17</td>
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<tr>
<td>1221 E 8th Street, Unit A, Upland, CA 91786</td>
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<tr>
<td>CSLB# 698182 (expired)</td>
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<td>Decision</td>
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<tr>
<td>Serenity Fire Protection</td>
<td>5/1/14 through 4/30/17</td>
</tr>
<tr>
<td>417 S. Associated Road, Brea, CA 92821</td>
<td></td>
</tr>
<tr>
<td>CSLB# 902927</td>
<td></td>
</tr>
<tr>
<td>Decision</td>
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</table>

(Partial list of DSLE Debarred Contractors as of August, 2014)
Slide 6, Continued

Contractor DIR Registration; Labor Code §1725.5

<table>
<thead>
<tr>
<th>Legal Name</th>
<th>Registration Number</th>
<th>License Type/Number(s)</th>
<th>Registration Date</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>SWINERTON BUILDERS</td>
<td>100000296</td>
<td>CSLB: 993242, CSLB: 92</td>
<td>07/09/2014</td>
<td>06/30/2015</td>
</tr>
</tbody>
</table>

Slide 7

Effect of Non-DIR Registration

Labor Code §1725.5(a)(2)(E)

(i) The contractor has not previously been found to be in violation of the requirements of this paragraph within the preceding 12 months.

(ii) The contractor pays an additional nonrefundable penalty registration fee of two thousand dollars ($2,000).

Labor Code §1725.5

(c) A contractor who fails to pay the renewal fee required under paragraph (1) of subdivision (a) on or before the expiration of any prior period of registration shall be prohibited from bidding on or engaging in the performance of any contract for public work until once again registered pursuant to this section. If the failure to pay the renewal fee was inadvertent, the contractor may renew its registration retroactively by paying an additional nonrefundable penalty renewal fee equal to the amount of the renewal fee within 90 days of the due date of the renewal fee.
Slide 9

District & DIR Registration Requirements

Labor Code §1771.1(b) (DIR Registration)

Notice of the requirement described in subdivision (a) [DIR Registration] shall be included in all bid invitations and public works contracts.
DLSE PWR Activities

Labor Code 1771.4(a)(3)
Each contractor and subcontractor shall furnish the records specified in Section 1776 directly to the Labor Commissioner, in the following manner:

(A) At least monthly or more frequently if specified in the contract with the awarding body.
(B) In a format prescribed by the Labor Commissioner.

Labor Code 1771.4(b)(2) PLA Exception for DLSE CPRs
(b) The Labor Commissioner may exempt a public works project from compliance with all or part of the requirements of division (a) of this section if either of the following occur:

(2) The awarding body has entered into a collective bargaining agreement that binds all contractors performing work on the project and includes a mechanism for resolving disputes about the payment of wages.

Labor Code 1771.4(c)(2)(A) & (B)
(2) The requirements of paragraph (3) of subdivision (a) shall only apply to the following projects:

(A) Projects that were subject to a requirement to furnish records to the Compliance Monitoring Unit pursuant to Section 16461 of Title 8 of the California Code of Regulations, prior to the effective date of this section.
(B) Projects for which the initial contract is awarded on or after April 1, 2015.