

## **Exhibit "E"**

### **Prevailing Wage Requirements**

This Project qualifies as a Prevailing Wage Public Works project under California Law. Attached hereto and incorporated herein by this reference are the provisions of California Labor Code sections 1771, 1775, 1776, 1777.5, 1813 and 1815. Subcontractor agrees to comply with all of the above-referenced provisions applicable to the performance of its Work on this Project, including by agreeing to:

- a. Pay all workers not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is performed.*
- b. Pay all workers not less than the general prevailing rate of wages for holiday and overtime work as provided by Law.*
- c. Adhere to all applicable compliance measures outlined in the referenced Labor Code provisions for any lower tier subcontractor of Subcontractor on this Project.*
- d. Submit weekly certified payroll records to the Contractor on a monthly basis. Records shall be provided no later than 5 (five) days following the last day of each workweek.*
- e. Comply with the applicable requirements and joint apprenticeship standards as required by Labor Code section 1777.5.*
- f. Comply with any requests for information and/or records relating to Subcontractor's Work and all requirements of the referenced Labor Code provisions.*
- g. Remedy any and all deficiencies which may be identified in Subcontractor's prevailing wage payments and/or practices by payment of any deficiencies, fines, penalties or other amounts due under the Labor Code.*

Subcontractor agrees to submit in support of each invoice, and as a condition to any such invoice becoming payable, required certified payroll records and any other required documentation of compliance with applicable prevailing wage laws. Subcontractor further agrees that prior to receiving final payment for work performed on this Project, it shall sign an affidavit in form acceptable to Contractor, under penalty of perjury, that the Subcontractor has paid the specified general prevailing rate of per diem wages to its employees for the proper craft needed to fulfill the obligations of the Subcontract.

To the fullest extent permitted by law, Subcontractor agrees to defend, indemnify and hold harmless the Contractor and Owner for any violations and/or alleged violations of applicable Prevailing Wage laws relating to Subcontractor's Work on the Project, including the above-referenced Labor Code provisions.

**Exhibit "E"**  
**Prevailing Wage Requirements**  
**Labor Code Sections 1771-1815**

**Labor Code Sections**

1771. Except for public works projects of one thousand dollars (\$1,000) or less, not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work fixed as provided in this chapter, shall be paid to all workers employed on public works.

This section is applicable only to work performed under contract, and is not applicable to work carried out by a public agency with its own forces. This section is applicable to contracts let for maintenance work.

1775. (a) The contractor and any subcontractor under him or her shall, as a penalty to the state or political subdivision on whose behalf the contract is made or awarded, forfeit not more than fifty dollars (\$50) for each calendar day, or portion thereof, for each worker paid less than the prevailing wage rates as determined by the director for the work or craft in which the worker is employed for any public work done under the contract by him or her or, except as provided in subdivision (b), by any subcontractor under him or her.

The amount of this penalty shall be determined by the Labor Commissioner and shall be based on consideration of the mistake, inadvertence, or neglect of the contractor or subcontractor in failing to pay the correct rate of prevailing wages, or the previous record of the contractor in meeting his or her prevailing wage obligations, or the willful failure by the contractor or subcontractor to pay correct rate of prevailing wages. A mistake, inadvertence, or neglect in failing to pay the correct rate of prevailing wages is not excusable if the contractor or subcontractor had knowledge of his or her obligations under this part. The difference between the prevailing wage rates and the amount paid to each worker for each calendar day or portion thereof for which each worker was paid less than the prevailing wage rate shall be paid to each worker by the contractor or subcontractor, and the body awarding the contract shall cause to be inserted in the contract a stipulation that this section will be complied with. (b) If a worker employed by a subcontractor on a public works project is not paid the general prevailing per diem wages by the subcontractor, the prime contractor of the project is not liable for any penalties under subdivision (a) unless the prime contractor had knowledge of that failure of the subcontractor to pay the specified prevailing rate of wages to those workers or unless the prime contractor fails to comply with all of the following requirements:

(1) The contract executed between the contractor and the subcontractor for the performance of work on the public works project shall include a copy of the provisions of Sections 1771, 1775, 1776, 1777.5, 1813 and 1815. (2) The contractor shall monitor the payment of the specified general prevailing rate of per diem wages by the subcontractor to the employees, by periodic review of the certified payroll records of the subcontractor. (3) Upon becoming aware of the failure of the subcontractor to pay his or her workers the specified prevailing rate of wages, the contractor shall diligently take corrective action to halt or rectify the failure, including, but not limited to, retaining sufficient funds due the subcontractor for work performed on the public works project. (4) Prior to making final payment to the subcontractor for work performed on the public works project, the contractor shall obtain an affidavit signed under penalty of perjury from the subcontractor that the subcontractor has paid the specified general prevailing rate of per diem wages to his or her

employees on the public works project and any amounts due pursuant to Section 1813. (c) The Division of Labor Standards Enforcement shall notify the contractor on a public works project within 15 days of the receipt by the Division of Labor Standards Enforcement of a complaint of the failure of a subcontractor on that public works project to pay workers the general prevailing rate of per diem wages. If the Division of Labor Standards Enforcement determines that employees of a subcontractor were not paid the general prevailing rate of per diem wages and if the body awarding the contract under which the employees performed work did not retain sufficient money under the contract to pay those employees the balance of wages owed under the general prevailing rate of per diem wages, the contractor shall withhold an amount of money due the subcontractor sufficient to pay those employees the general prevailing rate of per diem wages if requested by the Division of Labor Standards Enforcement. The contractor shall pay any money retained from and owed to a subcontractor upon receipt of notification by the Division of Labor Standards Enforcement that the wage complaint has been resolved. If notice of the filing of a valid notice of completion or acceptance of the public works project, whichever occurs later, the contractor shall pay all money retained from the subcontractor to the awarding body. The money shall be retained by the awarding body pending the final decision of an enforcement action, and be forwarded to the Labor Commissioner for disbursement pursuant to subdivision (d) if the subcontractor does not prevail in the action. Wages for workers who cannot be located after a diligent search by the Labor Commissioner shall be deposited in the Industrial Relations Unpaid Wage Fund pursuant to subdivision (c) of Section 96.7. Penalties shall be paid into the General Fund.

If the subcontractor prevails in the enforcement action, the awarding body shall release any funds retained pursuant to this subdivision to the contractor within 10 working days from the date of the final decision of the court.

(d) To the extent that there is insufficient money due a contractor to cover all penalties and amounts due in accordance with this section or Section 1813, and in all cases where the contract does not provide for a money payment by the awarding body to the contractor, the awarding body shall notify the Division of Labor Standards Enforcement of the violation and the division, if necessary with the assistance of the awarding body, may maintain an action in any court of competent jurisdiction to recover the penalties and the amounts due provided in this section. This action shall be commenced not later than 180 days after the filing of a valid notice of completion in the office of the county recorder in each county in which the public work or some part thereof was performed, or not later than 180 days after the filing off the public work, whichever last occurs. No issue other than that of the liability of the contractor and subcontractor for the penalties allegedly forfeited and amounts due shall be determined in the action, and the burden shall be upon the contractor and subcontractor to establish that the penalties and amounts demanded in the action are not due. The contractor and subcontractor shall be jointly and severally liable in an enforcement action for any wages due. Following entry of a judgment for joint and several liability, the division shall first exhaust all reasonable remedies to collect the amount due from the subcontractor before pursuing the claim for wages against the contractor. From the amount collected from the subcontractor, the wage claim shall be satisfied prior to the amount being applied to penalties.

Out of any money withheld, recovered, or both, there shall first be paid the amount due each worker, and if insufficient funds are withheld, recovered, or both, to pay each worker in full, the money shall be prorated among all workers.

(c) This section shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2003, deletes or extends that date.



1776. (a) Each contractor and subcontractor shall keep accurate payroll records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with the public work. Each payroll record shall contain or be verified by a written declaration that it is made under penalty of perjury, stating both of the following:

(1) The information contained in the payroll record is true and correct.

(2) The employer has complied with the requirements of Sections 1771, 1811, and 1815 for any work performed by his or her employees on the public works project.

(b) The payroll records enumerated under subdivision (a) shall be certified and shall be available for inspection at all reasonable hours at the principal office of the contractor on the following basis:

(1) A certified copy of an employee's payroll record shall be made available for inspection or furnished to the employee or his or her authorized representative on request. (2) A certified copy of all payroll records enumerated in subdivision (a) shall be made available for inspection or furnished upon request to a representative of the body awarding the contract, the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards of the Department of Industrial Relations. (3) A certified copy of all payroll records enumerated in subdivision (a) shall be made available upon request by the public for inspection or for copies thereof. However, a request by the public shall be made through either the body awarding the contract, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement. If the requested payroll records have not been provided pursuant to paragraph (2), the requesting party shall, prior to being provided the records, reimburse the costs of preparation by the contractor, subcontractors, and the entity through which the request is made. The public shall not be given access to the records at the principal office of the contractor.

(c) The certified payroll records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information as the forms provided by the division.

(d) A contractor or subcontractor shall file a certified copy of the records enumerated in subdivisions (a) with the entity that requested the records within 10 days after receipt of a written request.

(e) Any copy of records made available for inspection as copies and furnished upon request to the public or any public agency by the awarding body, the Division of Apprenticeship Standard, or the Division of Labor Standards Enforcement shall be marked or obliterated in a manner so as to prevent disclosure of an individual's name, address, and social security number. The name and address of the contractor awarded the contract or the subcontractor performing the contract shall not be marked or obliterated.

(f) The contractor shall inform the body awarding the contract of the location of the records enumerated under subdivision (a), including the street address, city and county, and shall, within five working days provide a notice of a change of location and address.

(g) The contractor or subcontractor shall have 10 days in which to comply subsequent to receipt of a written notice requesting the records enumerated in subdivision (a). In the event that the contractor or subcontractor fails to comply within the 10-day period, he or she shall, as a penalty to the state or political subdivision on whose behalf the contract is made or awarded, forfeit twenty-five dollars (\$25) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated. Upon the request of the Division of Labor Standards Enforcement, these penalties shall be withheld from progress payments then due. A contractor is not subject to a penalty

assessment pursuant to this section due to the failure of a subcontractor to comply with this section.



(h) The body awarding the contract shall cause to be inserted in the contract stipulations to effectuate this section. (i) The director shall adopt rules consistent with the California Public Records Act, (Chapter 3.5 (commencing with Section 6250), Division 7, Title 1, Government Code) and the Information Practices Act of 1977, (Title 1.8 (commencing with Section 1798), Part 4, Division 3, Civil Code) governing the release of these records, including the establishment of reasonable fees to be charged for reproducing copies of records required by this section.

(j) This section shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted state, that is enacted before January 1, 2003, deletes or extends that date.

1777.5, (a) Nothing in this chapter shall prevent the employment of properly registered apprentices upon public works.

(b) Every apprentice employed upon public works shall be paid the prevailing rate of per diem wages for apprentices in the trade to which he or she is registered and shall be employed only at the work of the craft or trade to which he or she is registered.

(c) Only apprentices, as defined in Section 3077, who are in training under apprenticeship standards that have been approved by the Chief of the Division of Apprenticeship Standards and who are parties to written apprentice agreements under Chapter 4 (commencing with Section 3070) of Division 3 are eligible to be employed at the apprentice wage rate on public works. The employment and training of each apprentice shall be in accordance with either (1) the apprenticeship standards and apprentice agreements under which he or she is training or (2) the rules and regulations of the California Apprenticeship Council.

(d) When the contractor to whom the contract is awarded by the state or any political subdivision, in performing any of the work under the contract, employs workers in any apprenticeable craft or trade, the contractor shall employ apprentices in at least the ratio set forth in this section and may apply to any apprenticeship program in the craft or trade that can provide apprentices to the site of the public work for a certificate approving the contractor under the apprenticeship standards for the employment and training of apprentices in the area or industry affected. However, approval or denial of the apprenticeship program shall be subject to review by the Administrator of Apprenticeship. The apprenticeship program or programs, upon approving the contractor, shall arrange for the dispatch of apprentice to the contractor. A contractor covered by an apprenticeship program's standards shall not be required to submit any additional application in order to include

Additional public works contracts under that the program. "Apprenticeable craft or trade," as used in this section, means a craft or trade regulations prescribed by the California Apprenticeship Council. As used in this section, "contractor" includes any subcontractor under a contractor who performs any public works not excluded by subdivision (o)

(e) Prior to commencing work on a contract for public works, every contractor shall submit contract award information to an applicable apprenticeship program that can supply apprentices to the site of the public work. The information submitted shall include an estimate of journeyman hours to be performed under the contract, the number of apprentices proposed to be employed, and the approximate dates the apprentices would be employed. A copy of this information shall also be submitted to the awarding body if requested by the awarding body.

Within 60 days after concluding work on the contract, each contractor and subcontractor shall submit to the awarding body, if requested, and to the apprenticeship program a verified statement of the



journeyman and apprentice hours performed on the contract. The information under this subdivision shall be public. The apprenticeship programs shall retain this information for 12 months.

(f) The apprenticeship program that can supply apprentices to the area of the site of the public work shall ensure equal employment and affirmative action in apprenticeship for women and minorities.

(g) The ratio of work performed by apprentices to journey men employed in a particular craft or trade on the public work may be no higher than the ration stipulated in the apprenticeship standards under which the apprenticeship program operates where the contractor agrees to be bound by those standards, but, except as otherwise provided in this section, in no case shall the ratio be less than one hour of apprentice work for every five hours of journeyman work.

(h) This ratio of apprentice work to journeyman work shall apply during any day or portion of a day when any journeyman is employed at the jobsite and shall be computed on the basis of the hours worked during the day by journeymen so employed. Any work performed by a journeyman in excess of eight hours per day or 40 hours per week shall not be used to calculate the ratio. The contractor shall employ apprentices for the number of hours computed as above before the end of the contract or, in the case of a subcontractor, before the end of the subcontract. However, the contractor shall endeavor, to the greatest extent possible, to employ apprentices during the same time period that the journeymen in the same craft or trade are employed at the jobsite. Where an hourly apprenticeship ratio is not feasible for a particular craft or trade, the Division of Apprenticeship Standards, upon application of an apprenticeship program, may order a minimum ration of not less than one apprentice for each five journeymen in a craft or trade classification.

(i) A contractor covered by this section that has agreed to be covered by an apprenticeship program's standards upon the issuance of the approval certificate, or that has been previously approved for an apprenticeship program in the craft or trade, shall employ the number of apprentices or the ratio of apprentices to journeymen stipulated in the applicable apprenticeship standards, but in no event less than 1-to-5 ratio required by subdivision (g).

(j) Upon proper showing by a contractor that he or she employs apprentices in a particular craft or trade in the state on all of his or her contracts on an annual average of not less than one hour of apprentice work for every five hours of labor performed by journeymen, the Division of Apprenticeship Standards may grant a certificate exempting the contractor from the 1-to-5 hourly ration, as set forth in this section for that craft or trade.

(k) An apprenticeship program has the discretion to grant to a participating contractor or contractor association a certificate, which shall be subject to the approval of the Administrator of Apprenticeship, exempting the contractor from the 1-to-5 ratio set forth in this section when it finds that any one of the following conditions is met:

- (1) Unemployment for the previous three-month period in the area exceeds an average of 15 percent.
- (2) The number of apprentices in training in the area exceeds a ratio of 1 to 5.
- (3) There is a showing that the apprenticeable craft or trade is replacing at last one-thirtieth of its journeymen annually through apprenticeship training, either on a statewide basis or on a local basis.

(4) Assignment of an apprentice to any work performed under a public works contract would create a condition that would jeopardize his or her life or the life, safety, or property of fellow employees or the public at large, or the specific task to which the apprentice is to be assigned is of a nature that training cannot be provided by a journeyman.

(l) When an exemption is granted pursuant to subdivision (k) to an organization that represents contractors in a specific trade from the 1-to-5 ratio on a local or statewide basis, the member

contractors will not be required to submit individual applications for approval to local joint apprenticeship committees, if they are already covered by the local apprenticeship standards.

(m) A contractor to whom a contract is awarded, who, in performing any of the work under the contract, employs journeymen or apprentices in any apprenticeable craft or trade shall contribute to the California Apprenticeship Council the same amount that the director determines is the prevailing amount of apprenticeship training contributions in the area of the public works site. A contractor may take as a credit for payments to the council any amounts paid by the contractor to an approved apprenticeship program that can supply apprentices to the site of the public works project.

The contractor may add the amount of the contributions in computing his or her bid for the contract. At the end of each fiscal year the California Apprenticeship Council shall make grants to each apprenticeship program in proportion to the number of hours of training provided by the program for which the program did not receive contributions, weighted by the regular rate of contribution for the program. These grants shall be made from funds collected by the California Apprenticeship Council during the fiscal year pursuant to this subdivision from contractors that employed registered apprentices but did not contribute to an approved apprenticeship program. All these funds received during the fiscal year shall be distributed as grants.

(n) The body awarding the contract shall cause to be inserted in the contract stipulations to the effectuate this section. The stipulations shall fix the responsibility of the compliance with this section for all apprenticeable occupations with the prime contractor.

(o) This section does not apply to contracts of general contractors or to contracts of specialty contractors not bidding for work through a general or prime contractor when the contracts of general contractors or those specialty contractors involve less than thirty thousand dollars (\$30,000) or 20 working days.

(p) All decision of an apprenticeship program under this section are subject to Section 3081.

1813. The contractor or subcontractor shall, as a penalty to the state or political subdivision on whose behalf the contract is made or awarded, forfeit twenty-five dollars (\$25) for each worker employed in the execution of the contract by the respective contractor or subcontractor for each calendar day during which the worker is require or permitted to work more than 8 hours in any one calendar day and 40 hours in any one calendar week in violation of the provisions of this article. In awarding any contract for public work, the awarding body shall cause to be inserted in the contract a stipulation to this effect. The awarding body shall take cognizance of all violations of this article committed in the course of the execution of the contract, and shall report them to the Division of Labor Standards Enforcement.

This section shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2003, deletes or extends that date.

1815. Notwithstanding the provisions of Sections 1810 to 1814, inclusive of this code, and notwithstanding any stipulation inserted in any contract pursuant to the requirements of said sections, work performed by employees of contractors in excess of 8 hours per day, and 40 hours during any one week, shall be permitted upon public work upon compensation for all hours worked in excess of 8 hours per day at no less than 1 ½ times the basic rate of pay.



## **Exhibit "F"**

### **PREVAILING WAGE COMPLIANCE**

All subcontractors are required to comply with all prevailing wage requirements applicable to this project by law, including pursuant to California Labor Code section 1720 et seq. These requirements include, but are not limited to, compliance with the apprentice requirements set forth in California Labor Code section 1777.5 and related regulations.

Submittal of complete and accurate certified payroll records to W. L. Butler Construction, Inc., and all other required documents to is a condition precedent to payment.

Enclosed for your general information is a checklist of compliance requirements and forms for your reference.

You should contact an attorney or professional skilled in prevailing wage compliance matters should you have any prevailing wage compliance questions. Please note that W. L. Butler Construction, Inc. reserves the right to initiate follow-up inquiries concerning prevailing wage compliance and to require proof of compliance at any time.



## Exhibit “F” PREVAILING WAGE COMPLIANCE

### SUBCONTRACTOR PREVAILING WAGE OBLIGATIONS CHECKLIST

Subcontractor shall ensure that strict compliance to these obligations are met.

To Do	When	Check When Completed
1) Determine correct prevailing wage for each craft employed on the project (See <a href="http://www.dir.ca.gov">www.dir.ca.gov</a> ). Submit completed Exhibit “G” prior to commencement of work. Sample form attached.	Prior to 1 <sup>st</sup> labor on project	<input type="checkbox"/>
2) Meet apprenticeship requirements. See Division of Apprenticeship Standards – Apprentices on Public Work Projects Summary of Requirements attached.		
a) Submit <b>DAS 140</b> form for each craft classification employed on Project to Apprenticeship Program with copies to WLB. Sample form attached.	Within 10 days after Subcontract has been awarded.	<input type="checkbox"/>
b) Request dispatch of apprentices from approved apprenticeship programs via <b>DAS 142</b> form. Submit original to Apprenticeship Program and a copy to WLB. Sample form attached.	At start of your work and at least 48 hours before you will need apprentice.	<input type="checkbox"/>
c) Submit monthly <b>Training Fund Contributions</b> to approved Apprenticeship Program or California Apprenticeship Counsel and provide copies to WLB. Sample CAC2 form attached. (All trades may be on one form. One form for each job.)	Monthly by the 15th	<input type="checkbox"/>
3) Submit <b>Certified Payroll</b> records containing all information set forth in California Labor Code section 1776(a). Weekly payroll reports are required but can be submitted monthly. Records shall be on forms provided by California Division of Labor Standards Enforcement or contain the same information. Submit monthly to WLB no later than the 25 <sup>th</sup> of each month. Sample of forms attached.	Monthly by the 25th	<input type="checkbox"/>
4) Submit <b>Statement of Employer Payments</b> to WLB with first month’s Certified Payroll records. Sample form attached.	Once with 1 <sup>st</sup> Certified Payroll Reports	<input type="checkbox"/>
5) Subcontractor must submit an affidavit of compliance to WLB. Sample form attached.	Before final payment is made	<input type="checkbox"/>

# Exhibit “F”

## Division of Apprenticeship Standards

### Apprentices on Public Work Projects

#### Summary of Requirements

Compliance with California Labor Code Section 1777.5, requires all public works contractors and subcontractors to:

**1. Submit contract award information.**

Contractors who are not already approved to train by an apprenticeship program sponsor shall provide contract award information to all of the applicable apprenticeship committees whose geographic area of operation includes the area of the public works project. Submit contract award information to the apprenticeship committee for each apprenticeable craft or trade in the area of the site of the public works project that has approved the contractors, who are participants in an approved apprenticeship program, to train apprentices. (Title 8, California Code of Regulations, Section 230).

The contract award information shall be in writing and may be on a Public Works Contract Award Information form (DAS 140). The information shall be provided to the applicable apprenticeship committee within ten (10) days of the date of the execution of the prime contract or subcontract, but in no event later than the first day in which the contractor has workers employed upon the public work. (Title 8, California Code of Regulations, Section 230). The filling of a DAS 140 is not a request for dispatch of registered apprentices.

**2. Employ registered apprentices** on the Public Works project in a ratio of no less than (1) hour of apprentice work for every five (5) hours performed by a journeyman. (Title 8, California Code of Regulations, Section 230.1).

All contractors must request dispatch of required apprentices from an Apprenticeship Program (for each apprenticeable craft or trade) by giving the Program actual notice of at least 48 hours (excluding Saturdays, Sundays and holidays) before the date on which apprentices are required. Contractors who are not already participating in an approved program and who did not receive sufficient number of apprentices from their initial request, must request dispatch of apprentices from at least one other Apprenticeship Committee, if more than one exists in the area of the public works project. (Title 8, California Code of Regulations, Section 230.1) (a).

**3. Make training fund contributions** in the amount established in the Prevailing Wage Rate publication for journeymen and apprentices. Contractors who contribute to an apprenticeship program are entitled to a full credit in the amount of those contributions. Contractors who do not contribute to an apprenticeship program must submit their contributions to the California Apprenticeship Council, P. O. Box 420603, San Francisco, CA 94142-0603. Training fund contributions to the Council are due and payable on the 15<sup>th</sup> day of the month for work performed during the preceding month.

Training contribution to the Council shall be paid by check and shall be accompanied by a completed Training Fund Contributions form (CAC-2), or a form containing the following information (Title 8, California Code of Regulations, Section 230.2 (c)):

- (1) The name, address, and telephone number of the contractor making the contribution.
- (2) The contractor's license number.
- (3) The name and address of the public agency that awarded the contract.
- (4) The jobsite location, including the county where the work was performed.
- (5) The contractor or project number.
- (6) The time period covered by the enclosed contributions.
- (7) The contribution rate and total hours worked by apprenticeable occupation.
- (8) The name of the program(s) that provided apprentices, if any.
- (9) The number of apprentice hours worked, by apprenticeable occupation and by program.

See [www.dir.ca.gov](http://www.dir.ca.gov) for the complete regulations and Labor Code provisions.

DAS P.W. (5/02)

<http://www.dir.ca.gov/DAS/DASApprenticesOnPublicWorksSummaryOfRequirements.h...> 11/23/004



## 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

### 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 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.

Date: \_\_\_\_\_

To Applicable Apprenticeship Committee: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Contractor Requesting Dispatch: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Person making request: \_\_\_\_\_

Number of Apprentice(s) Needed \_\_\_\_\_ Craft or Trade \_\_\_\_\_

Date Apprentice(s) to Report: \_\_\_\_\_ (48 hours notice required)

Name of Person to Report to: \_\_\_\_\_

Address to Report to  
if different from above: \_\_\_\_\_

Time to Report: \_\_\_\_\_

You may use this form, or make a verbal or written request, to ask for the dispatch of an apprentice. Please take note of California Code of Regulations, *Title 8, § 230.1 (a)* which says in part: *if in response to a written request an Apprenticeship Committee does not dispatch any apprentice to a contractor who has agreed to employ and train apprentices in accordance with either the Apprenticeship Committee's Standards or these regulations within 72 hours of such request (excluding Saturdays, Sundays and holidays) the contractor shall not be considered in violation of this section as a result of failure to employ apprentices ...*

State of California  
 Department of Industrial Relations  
 California Apprenticeship Council  
 P.O. Box 420603  
 San Francisco, CA 94142

## TRAINING FUND CONTRIBUTIONS

### California Apprenticeship Council

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, or for non-apprenticeable occupations such as utility technicians, teamsters, etc

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 AWARDING CONTRACT	PERIOD COVERED BY CONTRIBUTION (FROM - TO)			
	CLASSIFICATIONS OF WORKERS (CARPENTER, PLUMBER, ELECTRICIAN, ETC).	COUNTY WORK PERFORMED IN	HOURS	CONTRIBUTION RATE PER HOUR
Total				
SIGNATURE PLEASE TYPE OR PRINT YOUR NAME			DATE	
TITLE			AREA CODE & TELEPHONE NUMBER	

**PAYROLL**

(For Contractor's Optional Use; See Instructions at [www.dol.gov/esa/whd/forms/wh347instr.htm](http://www.dol.gov/esa/whd/forms/wh347instr.htm))



Rev. Dec. 2008

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

OMB No.: 1215-0149  
 Expires: 12/31/2011

NAME OF CONTRACTOR				OR SUBCONTRACTOR				ADDRESS						OMB No.: 1215-0149 Expires: 12/31/2011								
PAYROLL NO.			FOR WEEK ENDING				PROJECT AND LOCATION					PROJECT OR CONTRACT NO.										
(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT OR ST.	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK			
				HOURS WORKED EACH DAY										FICA	WITH- HOLDING TAX		OTHER	TOTAL DEDUCTIONS				
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

**Public Burden Statement**

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, ESA, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W. Washington, D.C. 20210





## Statement of Non-Performance

Consecutive Payroll Number \_\_\_\_\_ Date: \_\_\_\_\_

Prime Contractor/Subcontractor \_\_\_\_\_

I do hereby state that no persons were employed on the construction of the project

\_\_\_\_\_

*(Project Name)*

*(Project Number)*

during the payroll period commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

ending on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

*(Please print Name of Authorized Person and Title)*

\_\_\_\_\_

*(Signature of Authorized Person and Date)*

This statement is not required to be submitted until after the submission of the initial report.

## Statement of Employer Payments



Date:		In Reply, Refer to Case No:
Prime:		
Subcontractor:		
PROJECT NAME:		
PROJECT CONTRACT NO.:		County/location:

**HEALTH AND WELFARE**

NAME OF PLAN _____	Address, City and Zip _____
ADMINISTRATOR _____	Address, City and Zip _____
CLASSIFICATION(S) USED _____	CONTRIBUTION PER CLASSIFICATION PER HOUR _____
CONTRIBUTIONS:	WEEKLY _____ MONTHLY _____ QUARTERLY _____ ANNUALLY _____

**PENSION**

NAME OF PLAN _____	Address, City and Zip _____
ADMINISTRATOR _____	Address, City and Zip _____
CLASSIFICATION(S) USED _____	CONTRIBUTION PER CLASSIFICATION PER HOUR _____
CONTRIBUTIONS:	WEEKLY _____ MONTHLY _____ QUARTERLY _____ ANNUALLY _____

**VACATION/HOLIDAY**

NAME OF PLAN _____	Address, City and Zip _____
ADMINISTRATOR _____	Address, City and Zip _____
CLASSIFICATION(S) USED _____	CONTRIBUTION PER CLASSIFICATION PER HOUR _____
CONTRIBUTIONS:	WEEKLY _____ MONTHLY _____ QUARTERLY _____ ANNUALLY _____

**TRAINING**

NAME OF PLAN _____	Address, City and Zip _____
ADMINISTRATOR _____	Address, City and Zip _____
CLASSIFICATION(S) USED _____	CONTRIBUTION PER CLASSIFICATION PER HOUR _____
CONTRIBUTIONS:	WEEKLY _____ MONTHLY _____ QUARTERLY _____ ANNUALLY _____

IF YOU USE OTHER PLANS NOT LISTED ABOVE, YOU MAY USE THE BACK OF THIS FORM TO PROVIDE THIS ADDITIONAL INFORMATION



## LABOR CODE §1775(b) (4) AFFIDAVIT

*[Required prior to General Contractor making final payment  
to the Subcontractor for work performed on any Public Works Project]*

I, \_\_\_\_\_ (printed name) the undersigned, am  
\_\_\_\_\_ (position in business) with the authority to act  
for and on behalf of \_\_\_\_\_, (name of Subcontractor)  
certify under penalty of perjury that \_\_\_\_\_ (name of  
the Subcontractor) has paid the specified general prevailing rate of per diem wages to his/her/its  
employees on \_\_\_\_\_ (name of the public  
works project) and any amount due pursuant to Section 1813.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

### Northern California

- 204 Franklin Street  
Redwood City, CA 94063  
Ph (650) 361-1270 | Fax (650) 361-8657
- 140 Frank West Circle, Ste. 100  
Stockton, CA 95206  
Ph (209) 983-4890 | Fax (209) 983-4891

### Southern California

- 3 Mason  
Irvine, CA 92618  
Ph (949) 587-2200 | Fax (949) 587-9087
- 36-953 Cook Street, Ste. 103  
Palm Desert, CA 92211  
Ph (760) 837-3500 | Fax (760) 837-3548

### Arizona

- 3010 S. Priest Drive, Ste. 101  
Tempe, AZ 85282  
Ph (480) 627-8300 | Fax (480) 966-9732