

DATE SUBMITTED

09-09-2020

SUBMITTED BY

Public Services Dir.

DATE ACTION REQUIRED

09-16-2020

Agenda Item No

E-6

CITY COUNCIL ACTION (X)

PUBLIC HEARING REQUIRED ()

RESOLUTION ()

ORDINANCE 1ST READING ()

ORDINANCE 2ND READING ()

CITY CLERK'S INITIALS ()

**IMPERIAL CITY COUNCIL
AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: LABOR COMPLIANCE SERVICES FOR THE BARIONI WATERLINE IMPROVEMENT PROJECT.

1. AWARD CONTRACT FOR LABOR COMPLIANCE SERVICES IN THE AMOUNT OF \$7,000.00 TO LABOR COMPLIANCE CONSULTANTS OF SOUTHERN CALIFORNIA.

DEPARTMENT INVOLVED: Public Services - Water

BACKGROUND/SUMMARY:

City advertised and sought proposals for labor compliance monitoring services for the Barioni Waterline Improvement Project. No proposals were received by the submittal date.

Staff reached out to obtain quotes and one quote was received from Labor Compliance Consultants of Southern California.

FISCAL IMPACT: Not to exceed \$7,000.00

STAFF RECOMMENDATION: City Council award contract to Labor Compliance Consultants of Southern California.

MANAGER'S RECOMMENDATION: approve

MANAGER'S INITIAL DM

MOTION:

SECONDED:

AYES:

NAYES:

ABSENT:

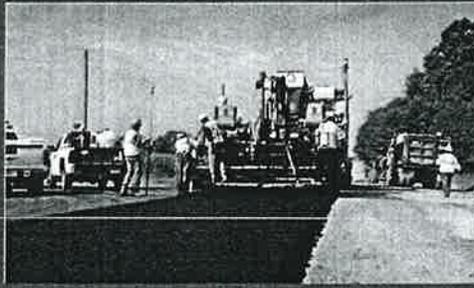
APPROVED ()

DISAPPROVED ()

REJECTED ()

DEFERRED ()

REFERRED TO:



PROPOSAL

 **COPY**

**Labor Compliance Consulting and Monitoring Services
To
The City of Imperial**

**For
Barioni Water Improvement Project**

RFP No. P07-2020

September 8, 2020

Prepared by: Crystal Ransdell

**Labor Compliance Consultants Of
Southern California LLC
Box 2660
Imperial, CA 92244
6914**

**Requested by:
Public Services Department
Jisela Solorzano, Administrative Assistant
420 S. Imperial Avenue
Imperial, CA 92251**

I. EXECUTIVE SUMMARY

HISTORY OF FIRM & SUMMARY OF QUALIFICATIONS

Labor Compliance Consultants of Southern California (LCCSC) is a consulting firm offering Labor Standards Compliance Consulting and Contractor Monitoring services to both private and public-sector clients in Southern California and Western Arizona. LCCSC recommends and will perform training in office to all the contractor's labor compliance staff and supervisors. We have a staff of trained and experienced labor compliance monitors and interviewers.

LCCSC has provided labor compliance consulting services to our governmental sector clients in ensuring Federal and State of California Labor Standards Compliance on many of their public works projects. The Staff of LCCSC has attended several training sessions pertaining to the California Department of Industrial Relations prevailing wage requirements for public works projects and has attended two Labor Compliance Program seminar trainings at Fresno State University. Individual training by Ms. Karen Belcher with the Department of Apprenticeship Standards has provided up to date training per the California Labor Code § 1777.5, the apprenticeship requirements, to the LCCSC Staff. Additionally, the LCCSC Staff has attended numerous training sessions provided by the Housing and Urban Development Department for public works projects. The training sessions reviewed compliance with Davis Bacon and Related Acts and Wage Guidelines. LCCSC maintains a bilingual Labor Standards Compliance Staff for onsite worker interviews to assist in facilitating accurate data collection and reporting.

LCCSC has provided Labor Standards Compliance Services for the cities of Westmorland, Brawley, Imperial, Holtville, Calexico and El Centro in addition to the County of Imperial. LCCSC has provided Labor Standards Compliance Services for private clients, including but not limited to Chelsea Investment Corporation, Emmerson Construction, TCI Construction, Trademark Construction, and JMR Construction of Chattanooga Tennessee. LCCSC has provided Labor Standards Compliance Services for several types of infrastructure related projects including but not limited to building construction, water, sewer and storm infrastructure improvements, roadway improvements and various others construction related projects.

LCCSC has performed the monitoring activities of the 3rd Party Labor Compliance Program operations for the Calexico Unified School District has performed as Labor Compliance Monitor for the City of Brawley's LCP for the park project funded through proposition 84 bonds. LCCSC has performed the Labor Compliance Monitoring for the City of El Centro's LCP for the Skate Park project also funded through proposition 84 bonds. A list of labor standards compliance projects is included herein.

PRIMARY CONTACT FOR PROPOSAL

Mrs. Crystal Ransdell
Senior Labor Standards Compliance Officer
P.O. Box 2660
El Centro, CA 92244
(760) 791-6914
cransdell@lccsc.net

LOCATION OF EL CENTRO OFFICE

Labor Compliance Consultants of So. Cal
1601 N. Imperial Avenue
El Centro, CA 92243
(760) 791-6914
cransdell@lccsc.net

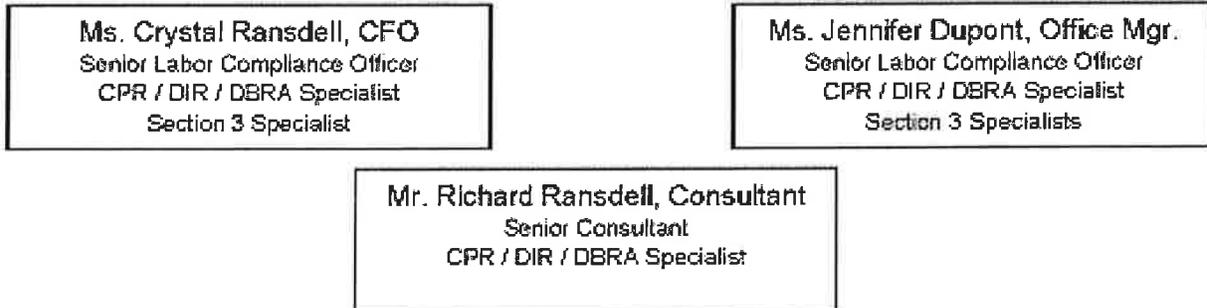
PRIMARY CONTACT FOR LABOR COMPLIANCE

Mrs. Jennifer Dupont
Senior Labor Standards Compliance Officer
P.O. Box 2660
El Centro, CA 92244
619-388-9147
jdupont@lccsc.net

LOCATION OF SAN DIEGO OFFICE

Labor Compliance Consultants of So. Cal.
Attn: Ms. Jennifer Dupont
Senior Labor Standards Compliance Officer
6339 Paseo Del Lago
Carlsbad, CA 92011
(619) 388-9147
jdupont@lccsc.net

ORGANIZATIONAL CHART



PROJECT TEAM HIGHLIGHTS:

LCCSC is a professional services firm well-seasoned in Labor Standards Compliance. LCCSC’s labor compliance staff has worked on various construction projects in the Imperial County. Therefore, LCCSC would be highly sensitive to the needs of our clients herein Southern California and Western Arizona.

LCCSC IS DBE CERTIFIED AND SWBE CERTIFIED FIRM ID 44834

EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

To provide employment and advancement opportunities to all individuals, employment decisions at Labor Compliance Consultants of Southern California are based on merit, qualifications, and abilities. Except where required or permitted by law, employment practices are not influenced or affected by an

applicant's or employee's race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

II. PROJECT APPROACH & SCOPE OF WORK

LCCSC shall be responsible for assisting **City of Imperial** with activities needed to ensure that workers employed by the Prime Contractor and any subcontractors are hired and paid in compliance with all applicable State and Federal Laws. Mrs. Ransdell shall serve as the contact person for all issues related to labor standards compliance pertaining to this project.

The project consists of the Labor Compliance Monitoring for

City of Imperial 2020 Barioni Waterline Improvements approximately 90 calendar days under construction.

Many different subcontractors and worker classifications will be present at the site which may require a substantial amount of Labor Standards Compliance oversight. It is critical that the labor compliance officers be involved at the commencement of the project to ensure timely compliance with the various aspects of labor standards compliance laws. Mrs. Ransdell shall prepare the current wage decisions and review the construction contract to ensure the required contract verbiage is included in the prime contractor's contract with his subcontractors.

The estimated construction time is ninety (90) calendar days from the date on the notice to proceed. The labor standards activities are expected to extend for a total of six (7) months. One (1) month prior to construction activities, four (4) months of construction activities and two (2) months following completion of the construction to obtain the final documentation from all contractors and subcontractors.

Labor Standards Compliance Services will include the following:

A. Wage Decisions Monitoring

LCCSC shall obtain the applicable Federal Wage Decisions from the awarding agency as required and monitor any modification and applicable changes to the various worker classifications applicable to this project. LCCSC shall notify **City of Imperial** of any modifications made to worker wage decisions.

B. Contractor Eligibility, Certifications and Pre-Construction Conference

LCCSC will perform the following duties:

1. LCCSC shall research all bidding General Contractors to ensure they are not debarred. Following the bid openings and the project award, LCCSC shall verify the General Contractor and sub-contractor's eligibility through the Federal debarment lists.
2. LCCSC shall attend the Pre-Construction Conference and provide a labor standards compliance handout of the Department of Labor information pertaining to public works projects. LCCSC shall be made available for further consultation by telephone or email and labor standards compliance training as requested. LCCSC recommends that a pre-construction training session concerning labor standards provision, administration, and enforcement be conducted.
3. LCCSC shall make available to the contractors and sub-contractors the required forms, documentation and contract language requirements.

C. Monitoring of Certified Payroll Reports, On Site Employee Interviews, and Progress

Payment Review Assistance.

1. **Payroll Reviews:** LCCSC shall review certified payroll reports and ensure compliance with federal regulations. Submitted payrolls shall be reviewed promptly for compliance with applicable labor standards. LCCSC will review fringe benefits, deductions, and computations verifying that all required information is provided. Comments and correction notices pertaining to the submitted subcontractor documentation shall be forwarded to **City of Imperial** and the Prime Contractor promptly.

2. **Review of Employee Reviews:** LCCSC will be responsible for conducting on-site interviews with various employees of the contractor/sub-contractors to include at least ten percent (10%) of the workers in all job classifications to be compared against applicable payrolls for compliance with wage decisions.
3. **Request for Information:** LCCSC shall inform **City of Imperial** in writing, immediately upon receipt of a Request for Information (RFI) from an individual or individuals requesting copies of any forms or documents. LCCSC shall respond accordingly to all RFI's received on behalf of **City of Imperial**, the Prime Contractor, and all subcontractors.
4. **Progress Payment Review Assistance:** LCCSC shall assist **City of Imperial** and Prime Contractor to ensure compliance with labor standards. Once each month LCCSC will perform a complete review of all labor compliance files and will prepare an End of the Month Report (EOM) and forward to **City of Imperial** and Prime Contractor informing of the status of the labor compliance files. When contractors are delinquent or tardy in providing labor compliance documentation, it will be noted and LCCSC will inform **City of Imperial** department so they may withhold progress payment as needed.

D. Correction of Violations

In the event that non-compliance of labor standards results in underpayment to employees, LCCSC will take immediate action limited to the following:

1. **Notification:** LCCSC shall immediately notify **City of Imperial** and the prime contractor of wage adjustments and requirements and shall notify the contractor in violation to immediately provide restitution and revisions to the certified payroll reports.
2. **Withhold Funds:** LCCSC shall recommend, if applicable, that **City of Imperial** and the Prime Contractor withhold sufficient funds from the subcontractor to provide restitution to under paid workers or to effectuate compliance and shall obtain full compliance from the subcontractor for any noncompliance issue.

E. Labor Compliance Files

1. LCCSC shall protect and maintain the labor compliance files in a locked secure cabinet for the duration of the project.

2. Upon completion of all construction activities and the labor compliance auditing requirements, LCCSC will provide to **City of Imperial** all original and additional copies of the Labor Standards Compliance documentation including but not limited to the certified payroll reports, fringe benefits statements, contracts, daily sign in sheets, contractor's license documentation, etc. **City of Imperial** shall keep and store for 5 years as required by law.
3. LCCSC shall make the labor standards compliance files available for inspection and review upon request by **City of Imperial** or to any State or Federal agency that has jurisdiction over this public works project and after construction activities have ceased. Upon request, LCCSC shall assist with any audit or review.

F. Reports

1. LCCSC shall prepare and submit all monthly, semi-annual and final reports, so that the **City of Imperial** has sufficient time for review prior to submitting them to the State of California Department of Housing and Community Development.

FEE SCHEDULE FOR SERVICES

Our 2020-2021 Fee Schedule for Labor Standards Compliance Services is included in this Proposal. Our Fee Schedule shall be updated each calendar year. The updated Hourly Rate Structure for Labor Standards Compliance Services shall be subject to review and approval by **City of Imperial** prior to implementation on this project.

VI. FEE SCHEDULE

I. SCHEDULE AND COMPENSATION

LCCSC shall provide Labor Compliance Services as outlined in within the contents of this proposal. In the event completion of the project extends beyond the seven (7) months, additional services will be billed at the hourly rate per the schedule attached.

II. PROPOSED ESTIMATED COSTS

Understanding that the estimated start of construction is approximately September 2020 and the construction is scheduled for ninety (90) calendar days. There are preliminary services before the start of construction and post completion services. LCCSC shall provide **City of Imperial** with the Labor Standards Compliance Services requirements with a not to exceed amount of **\$7,000.00**

LCCSC's services shall be invoiced in seven (7) monthly installments of \$1000.00 the end of each month beginning with the notice to proceed.

Additional fees may be required in that event that delays are caused by a contractor or subcontractor's noncompliance with labor standards and wage rate decisions. Incidental fees i.e.: Mileage, copies, postage, etc. shall be invoiced in addition to the hourly rate compensation.

Not to Exceed Costs: \$7,000.00

HOURLY RATE AND REIMBURSABLE EXPENSE SCHEDULE FOR ADDITIONAL SERVICES

Effective January 1, 2020 through December 31, 2020

Labor Standards Services	
Senior Labor Compliance Officer	\$90.00/hour
Bilingual Interviewer	\$75.00/hour

Prepared by:



September 8, 2020

Crystal A. Ransdell
Labor Compliance Consultants of Southern California
P.O. Box 2660
El Centro, CA 92244

Crystal Ransdell

P.O. Box 2660
El Centro, CA 92244
cransdell@lccsc.net

Objective Provide labor compliance consulting and contractor monitoring service to clients of LCCSC for various Public Works projects.

- Skills**
- **Over six years of HUD/CDBG and Section 3 Implementation/monitoring experience**
 - **Over 6 years of prevailing wage monitoring experience in the Construction Industry**
 - **Knowledge of Davis Bacon and Related Acts and Wage Guidelines**
 - **Knowledge of Department of Industrial Relations prevailing wage requirements**
 - **Proficient in Microsoft Word and Excel**
 - **Excellent language and communication skills**

Education & Training

- **September 25, 2019 – Completion of Department of Industrial Relations Awarding Agencies and Contractor Compliance by the Center for Contract Compliance and DIR**
- **August 15, 2019 – Completion of Prevailing Wage Seminar by the Department of Labor**
- **June 11, 2019 – Completion of Davis Bacon and Related Acts certified payroll reporting training by the Department of Labor**
- **May 1, 2019 - Completion of Labor Compliance for Public Works refresher course training by Cal Trans**
- **February 8, 2018 - Completion of Prevailing Wage, Certified payroll & Labor Compliance Training by Associated Builders and Contractors, Inc.**
- **February 9, 2018 - Completion of New Laws Affecting Contractors Changes for 2018 Training by Associated Builders and Contractors, Inc.**
- **May 18, 2016 - Completion of Prevailing Wage, Certified payroll & Labor Compliance Training by Associated General Contractors of America San Diego Chapter, Inc.**
- **September 18, 2015 - Completion of Prevailing Wage, Certified payroll & Labor Compliance Training by Associated General Contractors of America San Diego Chapter, Inc.**
- **July 15, 2015 - Completion of course in New Public Works Contractor Registration Law [SB 854]**
- **January 13, 2015 – Completion of Section 3 Training by the San Diego Housing Commission**
- **August 15, 2012 – Completion of Course in Davis Bacon and Related Acts/Department of Industrial Relations Prevailing Wage Requirements for Public Works Project**

Experience

Senior Labor Compliance Consultant, LCCSC
September 1, 2014 to current date

Assistant Labor Compliance Consultant, LCCSC

March 1, 2009 to September 1, 2014 – Assisted Part Time as needed to Full time

Reviewing certified payroll reports

Researching Federal and State wage classification and determinations

Preparing request for corrections and communicating with contractors

Monitoring receipt of labor compliance documentation

Organization of labor compliance documentation for each project and contractor

Monitoring Section 3 Requirements for projects in San Diego county.

Personal Lines Insurance Agent, Tyler Insurance Agency

September 1982 to August 31, 2014

Quoted, issued and serviced insurance policies for clients.

Jennifer L. Dupont

2341 Christi Avenue
Imperial, CA 92251
619-388-147
jdupont@lccsc.net

- Objective** Provide labor compliance consulting and contractor monitoring service to clients of LCCSC for various Public Works projects.
- Skills**
- **Over five years of HUD/CDBG and Section 3 implementation/monitoring experience**
 - **Over five years of prevailing wage monitoring experience in the Construction Industry**
 - **Knowledge of Davis Bacon and Related Acts and Wage Guidelines**
 - **Knowledge of Department of Industrial Relations prevailing wage requirements**
 - **Proficient in Microsoft Word and Excel**
 - **Excellent language and communication skills**
- Education & Training**
- **September 25, 2019 – Completion of Department of Industrial Relations Awarding Agencies and Contractor Compliance by the Center for Contract Compliance and DIR**
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 - **July 15, 2015 - Completion of course in New Public Works Contractor Registration Law [SB 854]**
 - **January 13, 2015 – Completion of Section 3 Training by the San Diego Housing Commission**
- Experience**
- Senior Labor Compliance Consultant, LCCSC**
- Provided Prevailing Wage Monitoring for seven large construction projects that totaled over \$90,000,000 in subcontract activity

- Prevailing Wage Monitor responsibilities included: reviewing certified payroll reports and ensuring proper payment of wages, tracking use of apprentices, ensuring payment of apprenticeship contributions, and Section 3 new hire compliance
- Created a monthly compliance report to assist Prime Contractor with payment of monthly draws to Subcontractors
- Assisted Awarding Bodies with annual HUD Reports for Federally funded projects
- Provided prevailing wage training to Prime Contractor and Subcontractors as needed

RELEVANT PROJECT EXPERIENCE

The partial list of public works projects below demonstrates LCCSC's experience as it pertains to the coordination and enforcement of labor compliance services for Public Works projects subject to the Department of Industrial Relations and/or Davis-Bacon regulations in the recent past.

Date	Project	Responsible Jurisdiction	Contract Amount	Status
2018	The Lofts at Normal Heights	Chelsea Investment Corp. (DIR, HUD & Section 3 Monitoring)	\$20,000,000	Completed
2018	San Ysidro Apartments	Emmerson Construction (HUD) Section 3 Monitoring Only	\$17,000,000	Working
2018	Winterhaven Water & Sewer Improvements	ICCED (CDBG)	500,000	Working
2018	Palo Verde Chlorination Improvements	ICCED (CDBG)	\$351,000	Working
2018	Poe Colonia Wastewater Treatment Plant Improvements	ICCED (CDBG)	\$330,000	Working
2018	El Centro Aquatic Center	City of El Centro	\$13,000,000	Completed
2018	La Brucherie Widening	City of El Centro	\$3,181,000	Completed
2018	Cesar Chavez Blvd Improvements	City of Calexico	\$6,022,218	Working
2018	Slurry Seal at Gateways of America	Imperial County Department of Public Works	\$399,000	Completed
2019	Desert Shores Townsite Roadway Improvements	Imperial County Department of Public Works	\$1,376,000	Completed
2019	Heber Townsite Roadway Improvement	Imperial County Department of Public Works	\$1,371,000	Completed
2019	Hawk Street Improvements	Imperial County Department of Public Works	\$325,000	Completed
2019	City of Holtville Citywide Street Improvements	City of Holtville	\$2,156,000	Completed
2019	Clark Road Improvements at Union Pacific Railroad Crossing	Imperial County Department of Public Works	\$403,000	Completed

2019	Calipatria Wastewater Treatment Plant Improvements	City of Calipatria	\$971,000	Working
2019	2018 El Centro Overlay and Parking Lots Resurfacing	City of El Centro	\$3,000,000	Completed
2020	14 th & Commercial Apartments	Chelsea Investment Corp. (DIR, HUD & Section 3 Monitoring)	\$160,000,000	Working
2020	Benson Place Apartments	Chelsea Investment Corp. (DIR, HUD & Section 3 Monitoring)	\$15,000,000	Working
2020	Salerno Apartments at Cypress	Chelsea Investment Corp. (DIR, HUD & Section 3 Monitoring)	\$30,000,000	Working

PROFESSIONAL REFERENCES

Mr. Mark Stein CPMC Realty 42-600 Caroline Court, Suite 102 Palm Desert, CA 92211 (760) 341-5100	City of El Centro Community Development Ms. Stacy Mendoza 1249 Main Street El Centro, CA 92243 (760) 335-3538
Javier Luna, , Senior Engineer City of El Centro 1275 W. Main Street El Centro, CA 92243 (760) 337-9031	Imperial County Community & Economic Dev. Ms. Esperanza Warren Colio ICCED Manager 940 W. Main Street, Suite 203 El Centro, CA 92243 (760) 482-4986
City of Calipatria Mr. Romualdo Medina, City Manager 125 North Park Avenue Calipatria, CA 92233 (760) 348-4141	The Holt Group, Inc. Mr. Jack Holt, P.E. CFO 1601 N. Imperial Avenue El Centro, CA 92243 (760) 337-3883
Chelsea Investments Janice Patterson, Director of Construction 6339 Paseo Del Lago Carlsbad, CA 92011 (760) 456-6000	City of Imperial Mr. Jesus Villegas, Project Manager 420 South Imperial Avenue Imperial, CA 92251