

• MICHAEL ZELVER • 261 FOURTH AVE • SANTA CRUZ • CA • 95062 •
• PHONE 831 818-3337 • • FAX 831 423-6162 •
• michaelzelver@comcast.net •

TO:

Steven Jesberg
City of Capitola
Public Works Director
420 Capitola Ave.
Capitola, CA 95010

RE:

RFQ, Capitola Library

Dear Mr. Jesberg,

I am pleased to submit a response to your request for project management services for the Capitola Library.

BACKGROUND:

As a principal, I have been developing, constructing and managing residential and commercial projects for over 40 years; 25 years developing my own projects, and as a land use consultant/project manager for the last 10 years primarily managing public projects for local public agencies. I have extensive experience with all phases of development, from design development through entitlement; plan check, permitting and construction. I have been a licensed General Contractor since 1977.

I have enclosed a complete building and development resume. Specifically, the publicly funded, prevailing wage projects are listed here separately as follows:

The following projects were completed on schedule and within the designated budgets.

2005 -2015

Publicly funded, prevailing wage projects.

Adaptive re-use of former Salz Tannery eight acre former Salz Tannery Brownfield site, Santa Cruz, to Live Work & Arts Campus.

Project manager, encompassing management of Brownfield site, developer's representative, design development coordinator, entitlement consultant, land use & land development consultant for the City of Santa Cruz, the non-profit housing developer, (ArtSpace Inc.) and the Tannery Art Center Board.

Owners representative, site development and construction supervision.

Phase one – Demolition, re-use / recycle, Brownfield site remediation. Site preparation. Prevailing wage.

Budget \$2,250,000.

Phase two - 100 units live-work housing. Design-build.

Budget \$35,000,000.

Phase three – Adaptive re-use of existing 30,000 sq. ft. historic building to Digital Media Center studios. Public bid. Prevailing wage.

Budget \$5,000,000.

Phase four – Historic Kron House: Renovation and adaptive reuse as office administrative use. Public bid. Prevailing wage.

Budget \$1,200,000.

Phase five – Performing Arts Theater building, adaptive re-use of historic building to a 200 seat performing arts theater. Design-build. Prevailing wage.

Budget \$6,000,000.

Phase six– Tenant improvements:, 3,000 sq. ft. historic structure. Prevailing wage.

Budget \$400,000.

2012

Golden State Warriors Arena.

Consultant and owners representative for the deveopment and construction of a 3,000 seat basketball arena co-owned by the City of Santa Cruz. Design-build hybrid. Prevailing wage.

Budget \$7,000.000. Fast track project.

2015

Pacific Collegiate School

Owner's represenative, design deveopemnt, entitlements, construction manager. Quasi public charter school: 40,000 sq.ft. adaptive re-use for 600 student charter school. Design-build hybrid.

Budget \$10,000,000. Fast track project.

I have extensive experience with all phases of construction and real estate development including:

- Acquisition
- Design development
- Entitlement
- Permitting process
- Financing
- Site development
- Title work
- Construction build-out
- Marketing & property management

Over the past 40 years I have entitled and developed numerous subdivisions consisting of over 400 residential units, 250 in the Santa Cruz area. For the majority of these projects I have functioned as owner-developer from acquisition through marketing and sell-out. In addition, I developed, own, and manage 27 units of rental property in Santa Cruz. Most of these projects are urban infill sites adjacent to existing residential areas requiring careful coordination to deal with impacts to existing housing and infrastructure. As developer/contractor I managed and supervised all phases of pre-development and construction for these projects.

I have a wide breadth of experience and knowledge in construction including historic restoration. I have restored numerous 19th century structures. A number of these projects have won awards and have been published.

Many of the projects I have worked on involved evaluation of environmental toxic issues, appropriate mitigations, necessary clearances from public agencies and compliance with lender environmental requirements.

I continue to successfully coordinate with many governmental agencies including Planning Staff, Public Works, Building Departments, City Council members, Redevelopment Agencies, Coastal Commission, Caltrans, Planning and Historic Preservation Commissions as well as numerous sub-consultants, design associates and building firms I collaborate with. These include Architects, Civil and Structural Engineers, Environmental Consultants, Landscape Architects, Biotic Consultants, Traffic Engineers and Historic Consultants. The same holds true for building trade sub-contractors. These relationships have proven to be a valuable resource.

PROJECT SCOPE, METHODOLOGY & PROCESS

PHASE ONE

Site data:

- Boundary survey/topo. Identify existing infrastructure.
- Title report, identify exceptions / easements.
- Geotechnical report.
- Site history, prior uses. Phase One environmental report if necessary.
- Constraint maps, flood, archeology, seismic, geology, historic.
- Heritage trees.
- Zoning, GP, height, vehicle / bicycle parking requirements, setbacks, etc.

Funding source:

- Identify funding process, conditions & requirements.

Programmatic process: (Prior to and/or or in conjunction with project architect.)

- Community Workshop elements.
- County Library staff input.
- Square foot requirements.
- Facility requirements.
- Technology requirements.
- LEED Green building considerations.

- Solar consideration.
- EV charging stations.
- FF&E requirements.
- LID requirements.
- Accessibility requirements.

Architect selection, sub-consultants:

- RFQ / RFP.
- Design / Build firm or other.
Civil engineer, Landscape architect, Title 24 consultant.
- Acoustic engineer.
- MEP / Fire system.
- Heritage trees / Arborist.

Schematic design: “SD”

- Community & stakeholder process.
- Library consultant?
- City Planning / Public Works preliminary review.
- Cost testing / value engineering.

Design development: “DD”

- Identify permit costs & impact fees.
- Cost testing / value engineering.

- Entitlements.
- Environmental determination / CEQA process.
- Traffic study.
- Mitigations.
- Public hearings / approvals.
- Fast track process evaluation - CD's prior to entitlements?

PHASE TWO

Construction documents: CD

- Architectural, structural engineer. Landscape, MEP, T-24, civil.
- PG&E - gas/electric service, CATV, phone, broadband design.
- Plan check / permits • SWPPP.
- Final cost testing VE, bids & budget.

Construction administration: CA

** Typically contracted directly with owner.*

- CA contracts with architect & sub-consultants. *
- Special inspections & soil testing. *
- Survey construction staking. *
- Prevailing wage consultant. *
- Conditional & Unconditional lien release control.
- Insurance requirement control.

Temporary facilities / offsite storage

- Relocate library to temporary location?
- Temporary storage of books, etc.
- Hazardous abatement.
- Demolition / recycle.

PHASE THREE

Construction:

PROJECT DELIVERY METHODS

1.) DESIGN BUILD (DB)

There are numerous advantages to a DB process, including the ability to comprehensively cost test and value engineer during the design development phase, the ability to select a known and reputable DB firm and the considerable efficiency and time savings a DB process affords. With a DB process, the project can go directly to the execution of a negotiated contract with the pre-selected builder once the entitlements are obtained with a clear understanding that the CDs will reflect the established budget and value engineering process. The preparation of CDs, plan check & permitting can occur concurrent to the contract process.

The DB process is much more nimble keeping change orders and RFI's to a minimum.

2.) HYBRID DESIGN BUILD (Hybrid DB)

It may be preferable to select an architectural firm for the design rather than a design-build firm depending on programmatic criteria and the desired architectural vision. In addition, there are relatively few full service design build firms compared to the number of architectural firms & construction firms available. An alternate "hybrid" method is to, in effect, create your own design build team. Once an architect is selected and the design process

is underway, a builder can then be selected to begin cost testing and value engineering as the design moves through the SD & DD phases. This can be particularly effective with the MEP trades.

As with the standard DB process, the project can move from the entitlement phase directly to the CD's and the execution of a negotiated contract with a clear understanding that the CD's will reflect the established budget and value engineering process.

3.) PUBLIC BID (PB)

A public bid process is more time consuming and costly to administrate however, some funding sources may require a public bid process. PB construction documents must detail all aspects of the plans & project specifications to avoid ambiguities in the bidding process and prevent unnecessary change orders. Architectural firms & sub-consultants will be required to deliver CD's suitable for a public bidding process. PB construction documents are more costly due to the detail & documentation required. Because of the difficulty of cost testing and value engineering during the design process, the plans will often require revisions to meet the budget after the initial bidding process resulting in delays, additional design services and plan check fees.

If a builder is not involved during the design process, you will need to rely on the architect for value engineering. This often has an unsatisfactory outcome. A cost estimating firm can be retained if the project is required to undergo a public bid process however, this is not as effective as a builder cost testing process utilizing a division 16 format.

PREVAILING WAGE:

It's possible to directly administer PW requirements by requesting certified payroll documents from the prime contractor however, due to the complexity of the rates, subcontractor / employee documentation and the possibility of audits & public record requests, I typically retain a certified payroll labor specialist for public projects the size of the library project. On large projects, typically one or more sub-contractors will commit some type of labor infraction requiring enforcement and extensive follow-up.

Depending on the scope of the project and the funding source requirements, I can negotiate appropriate levels of prevailing wage oversight for the project. I have included a proposal from a past project for PW monitoring services as an example. I reduced the cost of the proposal example by 17% by refining the scope of the monitoring requirements.

UTILITY COMPANIES:

Providing gas & electric service to projects has become very involved in the last few years. The PG&E engineering/design approval process has very long lead times. It is critical to identify utility requirements and begin the engineering application process as soon as possible.

PROJECT SCHEDULE:

At this preliminary stage, there is a limited amount of information available to judge project scope and duration. The library concept renderings depict a one-story structure in the range of 13,000 square feet. The concept emphasizes the architectural fabric characteristic of Capitola. It may be challenging to conceal the HVAC & mechanical systems and also mitigate the noise from the systems. An early effort in this direction should be considered during the design process.

The site plan shows an expanded footprint from the existing structure generally utilizing the existing pedestrian and vehicle ingress & egress points. The tot lot is retained or re-established. The existing native oak trees would be preserved. The parking lot appears to be reconfigured with storm drain improvements meeting low impact development requirements.

Based on the conceptual scope, I would estimate a two-year project with year one being design, entitlements and associated pre-construction activities. Year two would be the construction period. Post construction may involve a period of 3-4 months wrapping up paperwork and overseeing any issues or warranty work as may be necessary. There are methods for fast tracking projects, among them, developing construction documents prior to obtaining the entitlements. The risk and benefit associated with a fast track process would have to be evaluated if delivery timing is critical.

With respect to consulting and project management, I function as a sole principle handling all aspects of project management personally. I do not assign project tasks to employees.

I estimate the project would involve an average of 20 hours a week of my time for a two-year period. Post construction may involve 10 hours a week for 3-4 months although the time could vary somewhat depending on city staff participation and assistance. Also, the time for entitlements can vary depending on community input and political factors. In addition, the work associated with a public bid process, if necessary, can add considerable time & effort.

My billing rate is \$225 per hour with reimbursable expenses billed at cost with no markup. Typically, reimbursable expenses are minimal involving printing, submittal fees I may advance on behalf of the city, and out of town meeting expenses.

I have reviewed the City's contract agreement and see no issue with entering into such an agreement. My insurance agent is currently reviewing the City's insurance requirements. I have been able to comply with similar insurance requirements in the past.

Sincerely,



Michael Zilver

Enclosures:

Project history.

References.

Example of prevailing wage consultant proposal.

Photos of public projects.

Michael Zelter 261 Fourth Ave., Santa Cruz, CA 95062
Fax 831 423-6161 Phone 831 818-3337
michaelzelter@comcast.net

What follows is a building and development history.

- 1973 Restoration 19th century home. Loma Prieta Ave. Santa Cruz, CA.**
- 1974 Custom 2,000 sq. ft. residence. Summit Road, Santa Cruz, CA.**
- 1975 Construction of 20,000 sq. ft. Restaurant / Nightclub. Santa Cruz, CA .**
- 1976 Union Grove Music Building. Cathcart Street, Santa Cruz, CA.**
- 1977 Custom 1,600 sq. ft. residence. Davenport, CA.**
- 1977 Custom 2,200 sq. ft. residence. Alhambra Street, Santa Cruz, CA.**
- 1979 Award winning restoration and conversion to office buildings of historic 19th century buildings. Corner of Mission and Locust, Santa Cruz, CA.**
- 1980 Award winning 19th century restoration. Towne Terrace, Santa Cruz, CA.**
Published: Home Magazine, Nov. 1986
Homelife Magazine Fall 1985
Fine homebuilding Magazine Aug, 1985
Fine Homebuilding Builder Library Book
Library of Congress #88-50567, published 1988
SCOPE award of excellence
Certificate of Recognition, Santa Cruz Historical Society
This project was made possible with Federal funding.
- 1980 Move and restore residence. Atlantic Ave. Santa Cruz, CA**
- 1981 Mcfly Restaurants Redland, CA, Oklahoma City, OK.**
- 1982 Custom 2,500 sq. ft. residence. Old Pilkington Rd. Santa Cruz, CA.**
- 1983 Studio, Towne Terrace, Santa Cruz, CA.**
Published: Fine Homebuilding Magazine, Jan. 1988

- 1984** **Office building and residence subdivision., Green Street, Santa Cruz, CA.**
- 1985** **19th century restoration. Catalpa St. Santa Cruz, CA.**
- 1985** **Project Manager, design and construction 1,000 unit subdivision, 200 acre site, 9 hole golf course. Medford, OR.**
- 1986** **2 unit P.U.D. townhouse subdivision. Caledonia Street, Santa Cruz, CA. Owner / Developer**
- 1987** **4 unit P.U.D. townhouse subdivision. Seabright Ave, Santa Cruz, CA. Owner / Developer**
- 1987** **Custom 3,000 sq. ft. residence. Westview Estates. Santa Cruz, CA.**
- 1988** **4 unit P.U.D. subdivision. Miramar Ave. Santa Cruz, CA. Owner / Developer**
- 1989** **5 unit P.U.D. townhouse subdivision. Mission St. Santa Cruz ,CA. Owner / Developer. This project included restoration of original mid 19th century house on property.**
- 1989** **17 lot subdivision. Merced, CA.**
- 1991-92** **16 unit P.U.D. townhouse subdivision. Frederick St. Santa Cruz, CA. Owner Developer**
- 1993-94** **6 unit P.U.D. townhouse subdivision. Holway Dr. Santa Cruz, CA. Owner / Developer**
- 1993-94** **13 unit P.U.D. townhouse subdivision. Gault St. Santa Cruz, CA. Owner / Developer**
- 1996-97** **4 lot subdivision. Highland Ave. Santa Cruz, CA. Owner / Developer**
- 1997-00** **Consulting job. Obtain entitlements and manage land use for 90,000 sq. ft. self storage project for land owner and Public Storage Inc. Salz Tannery property, included subdividing and preservation of historic Tanbark Sheds.**

- 1998-99** **8 unit P.U.D. townhouse subdivision. Main St. Santa Cruz, CA.
Owner / Developer**
- 1998-99** **18 unit P.U.D. townhouse subdivision. Rio del Mar, Santa Cruz, CA.
Owner / Developer**
- 1998-99** **11 unit P.U.D. townhouse subdivision. Hanover St. Santa Cruz, CA.
Owner / Developer
Retained as investment income property.**
- 99-2001** **4 estate lot subdivision. Fairway Dr. Soquel, CA.
Owner / Developer**
- 2002-03** **16 unit apartment building, Soquel Ave. Santa Cruz, CA
Owner / Developer
Retained as investment income property.**
- 2003-2004** **8 unit P.U.D. townhouse subdivision, Goss st. Santa Cruz, CA
Owner / Developer**

2005 to present

Land use consulting to landowners, private developers and public agencies.

2005 -2015

Publicly funded, prevailing wage projects.

• Eight acre former Salz Tannery brownfield site, Santa Cruz, CA.

Adaptive re-use of former Salz Tannery to live work & arts campus.

Project manager, developers representative, design development coordinator, entitlement consultant, land use & land development consultant for City of Santa Cruz, the housing developer and Tannery Art Center Board. Brownfield site manager.

Owners representative, site development and construction supervision.

Phase one – Demolition, recycle, brownfield site remediation. Site prep. Budget \$2,250,000.

Phase two - 100 units live-work housing. Design build. \$35,000,000.

**Phase three – Adaptive re-use of existing 30,000 sq. ft. historic building to Digital Media Center studios. Public bid. Prevailing wage.
Budget \$5,000,000.**

**Phase four – Historic Kron House: Historic restoration and adaptive reuse as office administrative use. Public bid. Prevailing wage.
Budget \$1,200,000.**

**Phase five – Performing arts theater building, adaptive re-use of historic building to a 200 seat performing arts theater. Design build. Prevailing wage.
Budget \$6,000,000.**

**Phase six– Tenanat improvemnts, 3,000 sq. ft. historic structure.
Prevailing wage.
Budget \$400,000.**

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**Golden State Warriors Arena.
Consulatant and owners representative for the deveopment and consruction of a 3,000 seat basketball arena co-owned by the City of Santa Cruz. Design build hybrid. Prevailing wage.
Budget \$7,000.000. Fast track project.**

2015

Owner's represenative, design deveopemnt, entitlements, construction manager.

**Quasi public charter school: 40,000 sq.ft. adative re-use for 600 student charter school. Design build hybrid.
Budget \$10,000,000. Fast track project.**

REFERENCES

Bonnie Lipscomb Economic Development Director City of Santa Cruz	831 420-5150
Joe Hall Project Manager Economic Development Dept. City of Santa Cruz	831 420-5153
Ceil Cirillo Former Executive Director Santa Cruz Redevelopment Agency	831 247-3898
Don Lauritson Senior Planner, City of Santa Cruz	831 420-5117
Juliana Rebagliati Director of Planning & Community Development City of Santa Cruz	831 420-5103
Chris Schneiter Assistant Public Works Director City of Santa Cruz	831 420-5160
Cynthia Mathews Mayor City of Santa Cruz	831420-5027
Don Lane Council member City of Santa Cruz	831 420-5022
Greg Handberg Vice President, Properties Artspace Inc. Developer of Phase One Housing, Tannery Arts Center	612 465-0210

Peter Copriviza
Senior Project Manager
Devcon Construction Inc.

408 519-8396

Andrew Giba
Senior Project Architect
Devcon Construction Inc.

408 519-8316

Randy Palmer
Project Superintendent
Devcon Construction Inc.

831 247-6218

Doug Maher
Project Manager
Devcon Construction Inc.

831 462-4333

Warren Reed
Director of Property Management
John Stewart Company

831 438-5725

Pat Hoban
Senior Geologist
Weber, Hayes & Associates

831 722-3580

Jon Ifland
Ifland Engineers

831 426-5313

Matt Thompson
Senior Architect
Thacher & Thompson Architects

831 457-3939

Mark Cavagnero
Principle Architect
Cavagnero & Ass.

415 398-6944

Charlie Duncan
Architect

510 231-0222

Alan Burr
Senior Engineer
Murphy Burr Currey

415 546-0431

Alex Rood
Principle Structural Engineer
Fulcrum Engineering

415 543-0161

Jared Bogaard
Executive Vice President
Bogaard Construction

831 426-8191

Bill Bondy
Principle architect
Studio Bondy

510 836-6594

Tom Morell
New campus committee member
For Pacific Collegiate School

831 747-4855



November 20, 2014

Michael Zilver
c/o Tannery Arts Center, Inc.
261 Fourth Avenue
Santa Cruz, CA. 95062

Re: Proposal for Prevailing Wage Monitoring Services for the Tannery Arts Center
Performing Arts Theater

Dear Michael:

Thank you for allowing our firm to submit this proposal for your upcoming project. Labor Consultants of California is committed to giving our clients professional and proficient consultation in the area of state and federal labor standards compliance.

This year Labor Consultants of California celebrates its 21st year anniversary in business and is ready to provide prevailing wage monitoring for your project without exception or delay. Since our firm specializes in assisting public agencies and construction management companies with their prevailing wage obligations our resources are ready and able to proceed immediately if we are selected for this project.

Our staffing of a full-time labor compliance manager, compliance officer and two payroll auditors assures our clients of hands-on project management, immediate review of certified payroll records and written notification to contractors of delinquent or inadvertent errors on their submissions.

Although we are located in Hanford California, we have a satellite office in Santa Clara that is approximately 40 minutes away from where the work will be performed providing quick access to the job site.

As you know we have worked with Katherine Donovan and other City of Santa Cruz staff on several projects including the new Marine Sanctuary Exploration Center, the Digital Media Center at the Tannery, the Delmar Theater, the Warriors Arena and other CDBG projects.

If you have any questions or require additional information, please contact me directly at your earliest convenience.

Sincerely,



Richard Perez,
Labor Compliance Manager

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FIRM PROFILE AND HISTORY

Owners/Principals:

Ofelia Chapa, Owner and Senior Payroll Auditor

Richard Perez, Owner and Labor Compliance Manager

Main Business Address: 422 N. Douty Street, Suite D, Hanford, CA. 93230

Mailing Address: P. O. Box 1875, Hanford California 93232

Telephone Number: (559) 584-7499

Fax Number: (559) 584-0897

Email Address: laborc@cnetech.com

Website: www.laboreconsultants.net

Satellite Office: 400 Reed Street Suite B, Santa Clara California 95050

Labor Consultants of California (LCC) is a sole proprietor company that has been in business since 1993 and provides services in both English and Spanish. The company specializes in providing private developers, general contractors, cities, counties, school districts, non-profits and other municipalities with labor standards prevailing wage monitoring for their construction projects including ADA upgrades, new construction, affordable housing, CDBG, ARRA and other publicly funded projects. The company is centrally located in Hanford California and is able to provide services in the Santa Cruz area by maintaining a satellite office in Santa Clara. **The company has been approved as a third party Labor Compliance Program by the State Department of Industrial Relations since 2003.**

During the last several years, LCC has established itself as a leader in the area of labor compliance monitoring working on behalf of various public agency jurisdictions. Public agencies including the Soquel Unified School District, the Mountain School District, the City of Santa Cruz, the City of Pacific Grove, the City of Palo Alto, the City of Los Altos, the City of Saratoga, the Town of Los Gatos, the City of Morgan Hill, the County of Monterey and the Monterey Peninsula Airport District continue to rely on LCC's experience and expertise to provide on-going monitoring for their prevailing wage projects from year to year.

Non-profit housing agencies and other municipalities such as South County Housing Corporation, Resources for Community Development and the City of Mountain View have also relied on LCC's knowledge of the Davis-Bacon and Related Acts (DBRA) regulations and direct California Department of Industrial Relations/ Division of Labor Standards Enforcement (DIR/ DLSE) experience to oversee and enforce their large scale affordable housing development projects.

Additionally, private developers such as Saroyan Masterbuilder in Monterey County and Ovation Development in Las Vegas Nevada have utilized LCC's skills and knowledge in prevailing wage regulations and union labor relations for their high rise and condominium projects.

PRINCIPAL IN CHARGE AND OVERALL MANAGER/ QUALIFICATIONS

The principal of Labor Consultants of California Richard Perez will be designated as the Labor Compliance Manager for the Tannery Arts Center Performing Arts Theater. He is a former Deputy Labor Commissioner with the State Division of Labor Standards Enforcement, Department of Industrial Relations (DIR) and was assigned to the public works/ investigative unit for several years. Case investigations included enforcement of the prevailing wage labor code statutes and the Industrial Welfare Commission Orders (IWC). He also was responsible for assuring that contractors and employers were in compliance with the cash pay regulations, contractor license laws, the child labor laws and the workers compensation insurance requirements. Mr. Perez, State certified in English/Spanish is a graduate of San Jose State University and earned a Bachelor of Arts Degree in Sociology with a minor in Mexican American Studies. He was also employed as a Discrimination Consultant for the State Department of Fair Employment and Housing as well as serving as the Equal Employment Opportunity Officer for the City of Santa Cruz.

Mr. Perez has extensive experience in labor standards compliance. He was the principal consultant for Monterey County's Castro Plaza, a mixed housing/library/child care project and worked in conjunction with Mr. Nick Nichols, Project Consultant in bringing the project to a successful completion with no outstanding labor compliance issues. He was also the Compliance Manager for the recent County of Monterey's Airport Renovation project and served as labor compliance representative for Ausonio, Inc. the project management company.

During the period of 2005 to 2007, Mr. Perez provided labor standards monitoring for South County Housing's Salinas Road Apartments in Pajaro California. He prepared and submitted both monthly reports and semi-annual labor standards enforcement reports updating the labor standards activities on a continual basis.

Additionally, Mr. Perez has worked on various Davis-Bacon projects in conjunction with both the Departments of Labor and the Department of Housing and Urban Development. He previously provided his expertise to the Department of Labor in conducting a Davis-Bacon investigation that resulted in over \$100,000 dollars due in wage restitution for several Hispanic workers.

Most recently, Mr. Perez provided prevailing wage consultation to the law firm of Spiering, Swartz & Kennedy in the Sand City Design Center/ Sand City Redevelopment Agency Public Works case with the State Department of Industrial Relations as well as presenting a prevailing wage workshop for the City of Tulare's Redevelopment Agency.

In addition, Mr. Perez served as the Apprenticeship Consultant for the Division of Apprenticeship Standards, Department of Industrial Relations in Fresno California for four years. He was responsible for overseeing the various apprenticeship training programs from Modesto to Bakersfield California in enforcement of Labor Code 1777.5 and Title 8 of the California Code of Regulations.

Mr. Perez has also partnered in 2008-2009 with the Santa Clara County Builders Exchange in presenting prevailing wage workshops for the Exchange's contractor membership. These

workshops provides hands-on training for construction contractors in preparing certified payroll records and adherence to both state and federal labor standard requirements.

During the last year, Mr. Perez has also acted as the Labor Compliance Manager for the Monterey Peninsula Airport District's Airfield Pavement project funded with federal stimulus monies (ARRA).

STAFFING RESOURCES/ RESUMES

Ofelia Chapa, Senior Payroll Auditor and Consultant

Ms. Chapa is a graduate of U. C. Santa Cruz and was formerly employed by IBM as a research analyst. She has been actively involved with the firm since 2001 and has monitored public works projects for the City of Santa Cruz, the County of San Benito, South County Housing Corporation, the County of Monterey, Monterey Peninsula Airport District, the City of Saratoga, the Town of Los Gatos and the City of Palo Alto. Ms. Chapa specializes in certified payroll record audits and compliance with federal and state prevailing wage statutes. Ms. Chapa will be the assigned payroll auditor for the Tannery Arts Center Performing Arts Theater.

Martha Crain, Payroll Auditor and Consultant

Ms. Crain began her employment with Labor Consultants of California in 2011 as a certified payroll auditor and is responsible for assisting the senior auditor in the review of both federal and state certified payroll records for various projects and clients. Ms. Crain formally was employed by the State of California as a records administrator and also worked for several law firms in their billing departments.

Mel Sakata, Senior Compliance Officer

Mr. Sakata will also be employed in administering key elements in the Scope of Services. Mr. Sakata's professional experience includes:

1977 to 1981: Regional Discrimination Complaints Coordinator and Freedom of Information Act Officer for the United States Department of Labor, Occupational Safety and Health Administration (Fed-OSHA), Region IX; During his tenure, Mr. Sakata was also certified as an OSHA instructor.

1981 to 1989: Interagency Contractor Enforcement (I.C.E.) Investigator for the State of California Department of Industrial Relations, Division of Labor Standards Enforcement. Principal duties consisted of enforcement of California's Labor Code as it pertained to the State's underground economy (non-reporting of employment taxes, cash payment of wages, workers compensation insurance violators, building contractors without licenses and child labor violators). Mr. Sakata's job duties were expanded to include the investigation and enforcement of State prevailing wage laws.

1990 to 2000: Special Advisor for the Northern California Carpenters Regional Council. Major responsibilities include the training of union business agents in state and federal labor laws, local municipal ordinances and unfair competition statutes.

2001 to 2010: Labor Consultant for various prevailing wage projects including the Digital Media Center @ the Tannery Building project, City of Los Altos and City of Saratoga ADA Signal Light project and the City of Morgan Hill Galvan Park Soccer Field project.

CLIENT LIST

Labor Consultants of California has provided professional consultation and labor compliance monitoring services in Davis-Bacon and state prevailing wages for the following projects that have included preparation of federal and state wage determinations, conducting pre-construction conferences, verifying contractor eligibility through the use of the federal Excluded Parties List System (EPLS) and state debarment, verification of indentured apprentices, certified payroll reviews and audits, on-site employee interviews, issuance of monthly and semi-annual labor standards enforcement reports;

- City of Lompoc: Senior Community Center Building Remodeling
- City of South Lake Tahoe: Tahoe Senior Plaza and Tahoe Valley Apartments
- City of South Lake Tahoe: Evergreen and Sierra Gardens Apartments
- Many Mansions Inc.: Esseff Village Motel Rehabilitation Project/ Thousand Oaks
- City of Saratoga: Senior Community Center Remodeling and ADA Sidewalk Projects
- City of Saratoga: Hakone Gardens Project
- City of Saratoga: James McWilliams House Remodeling
- City of Saratoga: ADA Accessible Signal Program Phase I and II
- City of Morgan Hill: CDBG Galvan Park Restroom and Baseball Backstop Removal Installation project
- City of Morgan Hill: New Construction for Community Center Office
- City of Morgan Hill: Rehabilitation of Section 8 apartment buildings
- County of San Benito: Migrant Camp Remodeling
- Town of Los Gatos: Library Elevator and Door Projects
- City of Los Altos: ADA Upgrades
- City of Los Altos: Garden House ADA Access Project
- City of Los Altos: ADA on Springer Road Project
- City of Los Altos: ADA Accessibility Improvement at Intersections Project
- City of Palo Alto: Stevenson House Remodeling/ Litton Gardens Project
- City of Santa Cruz: Current Digital Media Center @ the Tannery Building
- City of Santa Cruz: Municipal Wharf Repair Project
- City of Santa Cruz: Homeless Community Resources Center Improvement Project
- City of Santa Cruz: Raymond Street Park Project
- City of Saratoga: ADA Accessible Signal Program Phase I and II, ADA Access Ramp for the McWilliams House and ADA Curb Ramps on Saratoga-Sunnyvale Road
- South County Housing Corp.: Corralitos Townhomes & Boronda Oaks, New Construction
- City of Mountain View: Efficiency Studios Apartments
- South County Housing Corp.: Salinas Road Apartments
- South County Housing Corp.: Pacific Grove Senior Apartments

- South County Housing Corp.: Jardines de Boronda
- South County Housing Corp.: Seacliff Highlands
- South County Housing Corp.: Royal Court Apartments
- South County Housing Corp.: Barson Street Apartments
- Resources for Community Development: Laurel Gardens Apartments
- Ovation Development (Las Vegas): Lone Mountain Apartments
- Ovation Development (Las Vegas): Boulder Apartments
- Ovation Development (Las Vegas): Spring Mountain Apartments
- County of Monterey: Castro Plaza Project
- Ausonio Inc.: Monterey Airport Renovation
- Monterey Peninsula Airport District: Current ARRA Airfield Pavement Improvements
- Corcoran Joint Unified School District: Joint-User Teacher Facility
- County of Monterey: On-Call Labor Compliance Monitoring Services
- Self-Help Enterprises: Fairways Tract Mutual Water Company Project
- Home Garden Community Services District: Infrastructure Improvements Arsenic Water Treatment Plant Project
- Fresno Metropolitan Flood Control District: Storm Drainage Facilities
- Tranquility Irrigation District: Test Well Study Project
- Town of Los Gatos: Current New Library Project
- Town of Los Gatos: Oak Meadow Park Grading and Paving
- Micon Real Estate: New Gridley Oaks Apartments Remodeling
- City of Tulare RDA: New Crest & West Apartments

SCOPE OF WORK

Labor Consultants of California proposes to provide the following state labor standards monitoring services for the Tannery Arts Center Performing Arts Theater:

Pre-Construction Conference (Excluded since project has already started)

One of the most important aspects of assuring labor compliance on a project is to conduct a thorough pre-construction conference with the general contractor and the subcontractors. The conference sets forth the framework in establishing the labor standards parameters. Labor Consultants of California's conference agenda includes discussion and handouts of the following items:

- A. State Labor Standard Provisions
- B. Payroll Reporting Forms/ Statement of Compliance
- C. Certification of Applicable Fringe Benefit Payments
- D. Contractor's/Subcontractor's Certification Concerning Labor Standards and Prevailing Wages
- E. Posting Requirement of Notice to All Employees (General Contractor)
- F. Apprenticeship Requirements Pursuant to Labor Code Section 1777.5

Upon the conclusion of the conference, Labor Consultants of California will preserve the minutes of the conference and submit them to the appropriate agency.

Contractor Eligibility Verification

Prior to awarding a contract, Labor Consultants of California shall verify that the successful bidder and all prime contractors are not on the State debarment list of ineligible contractors, that they possess a valid State contractors license and meet other licensing requirements. Labor Consultants also recommends similar verification of all selected subcontractor's eligibility prior to working on the project. Labor Consultants maintains Internet access to federal and state web sites securing vital information.

Labor Unions and Apprenticeship Committees

Labor Consultants maintains a professional business relationship with the building trades and apprenticeship committees. The activities of this firm shall include on-going dialogue with these agencies in assuring compliance with apprentices on the job and adherence to a collective bargaining agreement if applicable.

Certified Payroll Records

Labor Consultants of California shall review all of the certified payroll records on a weekly basis and compare them to the wage determination in effect. Improprieties or inadvertent errors on the payrolls will be communicated in writing to the general contractor with a request for corrective action within a 20-day time period.

On-Site Monitoring

A significant step in determining project labor standards compliance is to conduct on-site employee interviews. It is critical to have early detection of potential violations. Interviews will be conducted with workers to conform to State prevailing wage requirements of up to 10% of each trade and compared to the contractor's certified payroll records to ascertain that the correct classification, hours and wages were paid. The mailing of employee questionnaires may also be utilized when it is cumbersome or employees are reluctant to be interviewed on-site. (It should be noted that Labor Consultants has the ability to conduct interviews in both English and Spanish.)

Investigations

The general or prime contractor on a construction project is not only responsible for its own workforce but also has the burden of responsibility for its subcontractor's employees. Issues that invoke wage restitution must be investigated in a timely manner thus giving the interested parties the opportunity to respond and offer resolution to the investigative findings. As representative or agent of Tannery Arts Center Inc., Labor Consultants will consult with management on every compliance matter that may need resolution and prior to recommending any punitive action against a contractor.

Payroll Audits

Appropriately, upon receipt of certified payroll records, employee interview forms and other available documents, i.e. inspector daily logs, etc., Labor Consultants may conduct various payroll audits to determine, if through its examination of records, the prime and subcontractors have met labor standards compliance. At its conclusion, Labor Consultants will

submit written notification of its findings to the Tannery Arts Center Inc. with a recommendation for disbursement of the retention payments.

COMPLETION SCHEDULE

Pre-Construction Phase (excluded since project has already started)

- Prepare pre-construction documents/packets for pre-construction meeting/ to include federal and state (if applicable) wage determinations if requested and other labor standards handout materials
- Conduct pre-construction meeting with minutes and sign-in-sheet
- Notify the Tannery Arts Center Inc. or other funding agency regarding the project start date if requested
- Verify the contractor's and subcontractor's eligibility for working on a prevailing wage project

Construction Phase

- Review all contractor/subcontractor payroll records to determine compliance with reporting requirements, wages paid, hours reported and other state A-1-131 payroll form requirements
- Conduct on-site visits and worker interviews on project as needed
- Compare certified payroll record information with interview forms collected
- Notify the Tannery Arts Center Inc. regarding the compliance of contractors performing work on the project
- Verify the posting of the applicable wage decision at the job site location

Close-Out Procedures

- Notify the Tannery Arts Center Inc. and additional agencies regarding the completion of the project
- Provide Tannery Arts Center Inc. a Project Summary Report that addresses the start and completion dates of the project, labor standards compliance of the project, number of contractor certified payroll reports reviewed and worker interviews conducted if requested
- Maintain all labor standard records for a period of up to 3 years or provide to Tannery Arts Center Inc. if requested

Professional References

Katherine Donovan,
City of Santa Cruz
337 Locust Street
Santa Cruz, CA. 95060
(831) 420-5152
kdonovan@cityofsantacruz.com

(Labor Consultants of California has provided both state and federal wage monitoring services for the last 4 years, most recently completing the Digital Media Center project @ The Tannery and currently the National Marine Sanctuary Exploration Center project)

Tim Kawasaki, Administrative Analyst

Town of Los Gatos

Parks and Public Works Department

41 Miles Ave.

Los Gatos, CA. 95030

(408) 399-3778

(Labor Consultants has provided state and federal prevailing wage monitoring services for the Town of Los Gatos for the last several years. The latest project is the Highway 9 University Avenue project)

Cindy Hill, Sr. Housing Specialist

Self Help Enterprises

P. O. Box 6520

Visalia, CA. 93290

(559) 802-1695

CindyH@selfhelpenterprises.org

(Labor Consultants of California has provided both state and federal labor monitoring services for a variety of housing projects, including the Richgrove Rehabilitation project, the Parksdale Village II project and current Viscaya Gardens project in Dinuba California)

Chris Morello, Grants Manager

Monterey Peninsula Airport District

200 Fred Kane Drive, Suite 200

Monterey, CA. 93940

(831) 648-7000

cmorello@montereyairport.com

(Labor Consultants of California is currently providing federal Davis-Bacon and prevailing wage monitoring for its Airfield Pavements Improvement project)

Michael Miller, City Engineer

City of Tulare

411 East Kern

Tulare, CA. 93274

(559) 684-4269

mmiller@tulare.ca.gov

(Labor Consultants of California has provided both federal Davis-Bacon and state prevailing wage oversight to over 10 projects during the last several years funded by the EPA, HUD and other funding sources)

- ✓ Military Service: Mr. Perez served 6 years in the United States Naval Reserve receiving an Honorable Discharge in 1977

- ✓ Previous and current clients of Affordable Housing Non-Profit Agencies, Cities and Counties, Private Developers and Construction Management Firms include the City of Pacific Grove, City of Palo Alto, the City of Los Altos, the City of Mountain View, the City of Santa Cruz, the City of Tulare, the City of South Lake Tahoe, the City of Morgan Hill, the City of Saratoga, the City of Tulare, the City of Fresno, the City of Tulare, the Town of Los Gatos, the County of San Benito, Many Mansions, Inc., Soquel Union Elementary School District, Contra Costa County, Ovation Development (Las Vegas), the County of Monterey, Monterey Peninsula Airport District, Saroyan Masterbuilder, Redtree Properties, L.P. and South County Housing Corporation;



TANNERY LIVE-WORK HOUSING



COLLIGAN THEATER



HISTORIC KRON HOUSE



TANNERY STUDIOS



TANNERY STUDIOS



TANNERY STUDIOS



GOLDEN STATE WARRIORS ARENA



PACIFIC COLLEGIATE SCHOOL