

U.S. Department of Labor

Employment Standards Administration
Wage and Hour Division
200 Sheffield Street Suite 102
Mountainside, NJ 07092
(973) 645-2279 Fax. (973) 645-2573



February 16, 2006

Mr. Antonio Joao Godinho
Council Representative
NJ Regional Council of Carpenters
Raritan Plaza II 2nd Floor
PO Box 6855
Edison, NJ 08818

Re: Lowthers Contracting, LLC/DSJ Construction Corp Inc.
(Sub-Contractors)

A.J.D. Construction, Co., Inc. (Prime-Contractor)
948 Highway 36
Leonardo, NJ 07737

Project: Hope VI Revitalization Grant
Newark Housing Authority

DOL Case No. 2005-269-00299

Dear Mr. Godinho:


This is to advise you of the findings of our recent Davis Bacon and Related Act (DBRA) investigation of Better Homes Construction, Inc., a sub-contractor performing work on the above-referenced project at the above referenced project in Newark, NJ. The investigation conducted pursuant to the complaint you filed with this office alleging that carpenters were being paid at laborers rates.

Our investigation in this case revealed that the sub-contractors on this project along with several other lower tier sub-contractors (Rooster Construction, Sinatasa, Irving Construction, Goiano Construction) misclassified carpenters as laborers. As a result the firms failed to pay these carpenters employed the proper prevailing wage required by the applicable wage decision for the project. As a consequence of that determination our investigation found that 18 carpenters were due \$27,900.51 in back wages.

At the conclusion of our investigation, the sub-contractor agreed to future compliance and the prime contractor agreed to pay all back wages due.

Thank you for the information and assistance you provided to us in this case. If you have any questions concerning this matter, please do not hesitate to give me a call at 973-645-2279.

Sincerely,


Joseph Petrecca
District Director

Working For America's Workforce
www.wagehour.dol.gov

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Edison, NJ 08818

Re: DSJ Construction Corp. (Sub-Contractor)
1414 Route 130 North St.
Burlington, NJ 08016

Lowthers Construction, LLC (Prime-Contractor)
18 Beechwood Drive
Burlington, NJ 08016

Project: Portside II 2nd Street
Elizabeth Housing Authority

DOL Case No. 2005-269-00095

Dear Mr. Godinho:

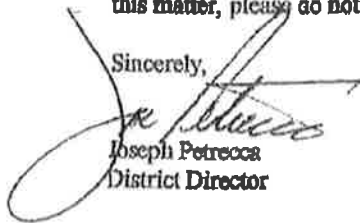
This is to advise you of the findings of our recent Davis Bacon and Related Act (DBRA) investigation of DSJ Construction Corp., a sub-contractor performing work on the above-referenced project at the Portside II Housing project located at Prince and 2nd Street in Elizabeth, NJ. The investigation conducted pursuant to the complaint you filed with this office also included an investigation of the prime contractor Lowthers Construction LLC.

Our investigation revealed that both the sub-contractor and the prime contractor failed to submit complete and accurate certified payrolls for the work performed on this project. In addition, both firms failed to pay carpenters employed on the project the proper prevailing wage required by the applicable wage decision for the project and proper overtime as required under the Contract Work hours Safety standards Act (CWHSSA). As a result of our investigation into this project, \$23,816.66 was found due for a total of 4 employees.

At the conclusion of our investigation, the sub-contractors agreed to future compliance and back wages were paid to those affected by the prime contractor.

Thank you for the information and assistance you provided to us in this case. If you have any questions concerning this matter, please do not hesitate to give me a call at 973-645-2279.

Sincerely,


Joseph Petrecca
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