### Monies Due Employees Form

Case

PC-417-0922-MAR 1/23/2024

Concrete Solutions NJ LLC 176 Central Ave West Caldwell NJ 07006

If any employee's personal information is missing or incorrect, please provide missing information and/or make the necessary corrections. If the last four digits of the SSN is missing or incorrect, provide the entire SSN.

Pay employees directly. For gross back wages due, provide employees with a statement of deductions. Any withholdings should be remitted to the proper taxing agencies. Liquidated Damages and Misclassification Penalty are not subject to tax deductions. Submit copies of all payments to employee (cancelled checks) and corresponding statement of deductions to this office as proof of payment.

En	ployee Name and Mailing Address	SSN	Monies Due Employee
1.	Employee No. 527277	XXX-XX-	Gross Back Wages: \$538.48 Liquidated Damages: \$0.00 Misclass Penalty: \$36.92 Total Monies Due: \$575.40
2.	Employee No. 527283	xxx-xx-	Gross Back Wages: \$156.00 Liquidated Damages: \$0.00 Misclass Penalty: \$490.38 Total Monies Due: \$646.38
3.	Employee No. 527278	XXX-XX-	Gross Back Wages: \$436.17 Liquidated Damages: \$0.00 Misclass Penalty: \$81.81 Total Monies Due: \$517.98
4.	Employee No. 527280	XXX-XX-	Gross Back Wages: \$436.17 Liquidated Damages: \$0.00 Misclass Penalty: \$32.31 Total Monies Due: \$468.48
5.	Employee No. 527286	XXX-XX-	Gross Back Wages: \$461.55 Liquidated Damages: \$0.00 Misclass Penalty: \$23.08 Total Monies Due: \$484.63
6.	Employee No. 527284	xxx-xx-	Gross Back Wages: \$461.55 Liquidated Damages: \$0.00 Misclass Penalty: \$23.08 Total Monies Due: \$484.63
7.	Employee No. 527281	XXX-XX-	Gross Back Wages: \$4,161.36 Liquidated Damages: \$0.00 Misclass Penalty: \$258.47 Total Monies Due: \$4,419.83

### Concrete Solutions NJ LLC

Em	ployee Name and Mailing Address	SSN	Monies Due Employee
8.	Employee No. 527279	XXX-XX-	Gross Back Wages: \$3,489.36 Liquidated Damages: \$0.00 Misclass Penalty: \$510.47 Total Monies Due: \$3,999.83
9.	Employee No. 527282	XXX-XX-	Gross Back Wages: \$156.00 Liquidated Damages: \$0.00 Misclass Penalty: \$490.37 Total Monies Due: \$646.37
10.	Employee No. 527285	XXX-XX-	Gross Back Wages: \$461.55 Liquidated Damages: \$0.00 Misclass Penalty: \$23.08 Total Monies Due: \$484.63
11.	Employee No. 531969	xxx-xx-	Gross Back Wages: \$0.00 Liquidated Damages: \$0.00 Misclass Penalty: \$504.18 Total Monies Due: \$504.18

Total Gross Back Wages Due: \$10,758.19

Total Liquidated Damages Due: \$0.00

Total Misclass Penalty Due: \$2,474.15

Total Monies Due Employees: \$13,232.34

### Assessment Form

Case No. PC-417-0922-MAR

Concrete Solutions NJ LLC

1/23/2024

Violation of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C.):



# DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

January 25, 2024

Concrete Solutions NJ LLC 176 Central Ave West Caldwell NJ 07006

Re: PC-148-0523-MAR

Leonia Police/Court Building Leonia police court new building. Borough of Leonia

Dear Michelle Machado:

The Wage and Hour Division and Contract Compliance conducted an inspection of your firm. It has been determined you are in violation of Title 34 which provides that any person who violates any provision of the New Jersey Wage and Hour Law or regulations may be prosecuted, fined, and/or penalized. In addition, the Commissioner of Labor and Workforce Development has the authority to assess administrative fees based on the amount of back wages, liquidated damages, and misclassification penalty assessed. As a result of our inspection, you may be liable for a Penalty or both a Penalty and Administrative Fee.

Under the provisions of N.J.S.A. 34:11-4.1, an employer is any individual, partnership, association, joint stock company, trust, corporation, the administrator or executor of the estate of a deceased individual, or the receiver, trustee, or successor of any of the same, employing any person in this State. For the purposes of this act, the officers of a corporation and any agents having the management of such corporation shall be deemed to be the employers of the employees of the corporation.

Total Monies Due Employees: These monies are due directly to Employees.

Back Wages: If back wages are assessed, the gross back wages due amount is listed on the attached Monies Due Employees Form. Gross back wages <u>are</u> subject to tax deductions.

Liquidated Damages: If liquidated damages are assessed, the amount is listed on the attached Monies Due Employees Form. Liquidated Damages cannot exceed 200% of gross back wages due and are <u>not</u> subject to tax deductions.

Misclassification Penalty: Pursuant to N.J.S.A. 34:1A-1.18, a misclassification penalty is assessed for each worker not properly classified as an employee. If a misclassification penalty is assessed, the amount is listed on the attached Monies Due Employees Form. The penalty is based up to 5% of the misclassified worker's gross back wages for the past 12 months and is not subject to tax deductions.

Administrative Fee: If back wages, liquidated damages or misclassification penalty are assessed, an administrative fee is due. The fee is equal to a percentage of total monies due employees and is based on your history of violations: 10% for the first violation, 18% for the second violation, and 25% for the third and subsequent violations.

Penalty: The attached Assessment Form provides a brief explanation of each violation, the section of law or regulation violated, and the penalty amount which has been assessed.

#### Respond to this Notice within 15 Days of the above Date:

If you are not contesting this assessment, complete the bottom section of the Assessment Form and submit payment within 15 days of the above date.

If you are contesting any portion of this assessment, you must submit a written request for a telephone conference. Complete the bottom section of the Assessment Form and return within 15 days of the above date. A Division Representative will contact you by telephone to hold an informal conference to discuss your case. If your case cannot be resolved over the telephone, we will schedule you for a hearing in Trenton and send you written notification regarding your hearing.

If you have questions contact this office Monday to Friday, 8:30 am to 4:30 pm.

cc: GPC, Inc.

Sincerely.

William Kiss, Section Chief Public Contracts Section

201-618-4541

### Assessment Form

Case No. PC-148-0523-MAR

Concrete Solutions NJ LLC

1/25/2024

Violation of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C.):

Violation	Citation No.	Penalty.
Records - Incomplete Records	34:11-56a20 / 12:56-4.1	S7,750.00 (31ee's x 250)
Records - Earned Sick Leave	34:11D-6	S7,750.00 (31ee's x 250)
Notification / Posting - Earned Sick Leave	34:11D-7	S7,750.00 (31ee's x 250)
Failing to Properly Classify Employees	34:1A-1.18	\$0.00 (see 5% due)
Unpaid Wages / Late Payment	34:11-4.2	\$7,750.00 (31ee's x 250)
Failure to Pay Prevailing Wage	34:11-56,27	\$77,500.00 (31ee's x 2500)
Records / Obstruction	34:11-56.31	\$2,500.00 (violation)
Certified Payroll / Public Body	34:11-56.33 / 12:60-5.1(c)	\$2,500.00 (violation)
Obstruction / Hindering	34:11-56.35	\$2,500.00 (violation)
Failure to Register	34:11-56.51	\$2,500.00 (violation)
Improper Classification Construction Workers	34:20-5	\$72,500.00 (29ee's x 2500)

#### Assessments:

Total Monies due Employees

Back Wages

\$73,750.56

Liquidated Damages

\$0.00

Misclassification Penalty \$3,922.78

Administrative Fee (10% of Total Monies)

Penalty

577,673,34

\$7,767.33

\$191,000.00

#### Instructions

Payment of Total Monies due Employees: Pay employees directly. For gross back wages due, provide employees with a statement of deductions. Any withholdings should be remitted to the proper taxing agencies. Liquidated Damages and Misclassification Penalty are not subject to tax deductions. Submit copies of all payments to employee (cancelled checks) and corresponding statement of deductions to this office as proof of payment.

If a former employee's check is returned to you as undeliverable, forward the returned check and statement of deductions to the Wage and Hour Division and Contract Compliance to be held in trust for that employee. Include case number on check.

- Payment of Administrative Fee and/or Penalty: Make check payable to the Commissioner of Labor and Workforce Development, Include case number on check.
- 3. Check the appropriate box below: Mail completed forms, cancelled employee checks, corresponding statement of deductions, and payment to:

Wage and Hour Division and Contract Compliance PO Box 389 Trenton, NJ 08625-0389 Fax (609) 695-1174

I am submitting payment for the Administrative Fee and/or Penalty. If any m directly as per the above instructions. I am submitting copies of the cancell statement of deductions as proof of payment. Any withholdings have been rem	ed employee checks and corresponding
☐ I am contesting the above Assessments and I am requesting a telephone cobriefly):	onference to discuss my case because (explain
Print Name:	Phone:
Title:	Fax:

#### Monies Due Employees Form

Case

PC-148-0523-MAR 1/25/2024

Concrete Solutions NJ LLC 176 Central Ave West Caldwell NJ 07006

If any employee's personal information is missing or incorrect, please provide missing information and/or make the necessary corrections. If the last four digits of the SSN is missing or incorrect, provide the entire SSN.

Pay employees directly. For gross back wages due, provide employees with a statement of deductions. Any withholdings should be remitted to the proper taxing agencies. Liquidated Damages and Misclassification Penalty are not subject to tax deductions. Submit copies of all payments to employee (cancelled checks) and corresponding statement of deductions to this office as proof of payment.

En	ployee Name and Mailing Address	SSN	Monies Due Employee
1.	Employee No. 525131	XXX-XX-	Gross Back Wages: \$1,582.32 Liquidated Damages: \$0.00 Misclass Penalty: \$94.72 Total Monies Due: \$1,677.04
2.	Employee No. 525126	XXX-XX-	Gross Back Wages: \$955.99 Liquidated Damages: \$0.00 Misclass Penalty: \$57.22 Total Monies Due: \$1,013.21
3.	Employee No. 525124	XXX-XX-	Gross Back Wages: \$1,054.88 Liquidated Damages: \$0.00 Misclass Penalty: \$63.14 Total Monies Due: \$1,118.02
4.	Employee No. 525120	XXX-XX-	Gross Back Wages: \$2,274.59 Liquidated Damages: \$0.00 Misclass Penalty: \$136.15 Total Monies Due: \$2,410.74
5.	Employee No. 525099	XXX-XX-	Gross Back Wages: \$1,054.88 Liquidated Damages: \$0.00 Misclass Penalty: \$63.14 Total Monies Due: \$1,118.02
6.	Employee No. 525103	XXX-XX-	Gross Back Wages: \$428.55 Liquidated Damages: \$0.00 Misclass Penalty: \$25.65 Total Monies Due: \$454.20
7.	Employee No. 525106	XXX-XX-	Gross Back Wages: \$527.44 Liquidated Damages: \$0.00 Misclass Penalty: \$31.57 Total Monies Due: \$559.01

Em	ployee Name and Mailing Address	SSN	Monies Due Employee
8.	Employee No. 525109	XXX-XX-	Gross Back Wages: \$2,109.76 Liquidated Damages: \$0.00 Misclass Penalty: \$126.29 Total Monies Due: \$2,236.05
9.	Employee No. 525113	XXX-XX-	Gross Back Wages: \$6,329.28 Liquidated Damages: \$0.00 Misclass Penalty: \$378.86 Total Monies Due: \$6,708.14
10.	Employee No. 525115	XXX-XX-	Gross Back Wages: \$527,44 Liquidated Damages: \$0.00 Misclass Penalty: \$31.57 Total Monies Due: \$559.01
11.	Employee No. 517325	XXX-XX-	Gross Back Wages: \$10,254.48 Liquidated Damages: \$0.00 Misclass Penalty: \$536.72 Total Monies Due: \$10,791.20
12.	Employee No. 525142	XXX-XX-	Gross Back Wages: \$527,44 Liquidated Damages: \$0.00 Misclass Penalty: \$31.57 Total Monies Due: \$559.01
13.	Employee No. 525143	xxx-xx-	Gross Back Wages: \$527.44 Liquidated Damages: \$0.00 Misclass Penalty: \$31.57 Total Monies Due: \$559.01
14.	Employee No. 525122	XXX-XX-	Gross Back Wages: \$527.44 Liquidated Damages: \$0.00 Misclass Penalty: \$31.57 Total Monies Due: \$559.01
15.	Employee No. 517329	XXX-XX-	Gross Back Wages: \$10,645.92 Liquidated Damages: \$0.00 Misclass Penalty: \$568.30 Total Monies Due: \$11,214.22
6.	Employee No. 525127	XXX-XX-	Gross Back Wages: \$4,219.52 Liquidated Damages: \$0.00 Misclass Penalty: \$252.58 Total Monies Due: \$4,472.10

Em	plovee Name and Mailing Address	SSN	Monies Due Employee
17.		XXX-XX-	Gross Back Wages: \$527.44 Liquidated Damages: \$0.00 Misclass Penalty: \$31.57
	Employee No. 525134		Total Monies Due: \$559.01
18.	Employee No. 525128	XXX-XX-	Gross Back Wages: \$1,250.50 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$1,250.50
19.	Employee No. 525129	XXX-XX-	Gross Back Wages: \$527.44 Liquidated Damages: \$0.00 Misclass Penalty: \$31.57 Total Monies Due: \$559.01
20.	Employee No. 525130	XXX-XX-	Gross Back Wages: \$1,054.88 Liquidated Damages: \$0.00 Misclass Penalty: \$63.14 Total Monies Due: \$1,118.02
21.	Employee No. 525132	XXX-XX-	Gross Back Wages: \$527.44 Liquidated Damages: \$0.00 Misclass Penalty: \$31.57 Total Monies Due: \$559.01
22.	Employee No. 525133	XXX-XX-	Gross Back Wages: \$1.054.88 Liquidated Damages: \$0.00 Misclass Penalty: \$63.14 Total Monies Due: \$1,118.02
23.	Employee No. 517327	XXX-XX-	Gross Back Wages: \$9,466.32 Liquidated Damages: \$0.00 Misclass Penalty: \$568.30 Total Monies Due: \$10,034.62
24.	Employee No. 525135	XXX-XX-	Gross Back Wages: \$527.46 Liquidated Damages: \$0.00 Misclass Penalty: \$31.57 Total Monies Due: \$559.03
25.	Employee No. 525119	xxx-xx-	Gross Back Wages: \$2,274.59 Liquidated Damages: \$0.00 Misclass Penalty: \$136.15 Total Monies Due: \$2,410.74

Employee Name and Mailing Address	SSN	Monies Due Employee
26. Employee No. 525136	XXX-XX-	Gross Back Wages: \$2,109.76 Liquidated Damages: \$0.00 Misclass Penalty: \$126.29 Total Monies Due: \$2,236.05
27. Employee No. 525137	XXX-XX-	Gross Back Wages: \$1,582.32 Liquidated Damages: \$0.00 Misclass Penalty: \$94.72 Total Monies Due: \$1,677.04
28. Employee No. 525138	XXX-XX-	Gross Back Wages: \$1,582.32 Liquidated Damages: \$0.00 Misclass Penalty: \$189.43 Total Monies Due: \$1,771.75
29. Employee No. 525139	xxx-xx-	Gross Back Wages: \$527.44 Liquidated Damages: \$0.00 Misclass Penalty: \$31.57. Total Monies Due: \$559.01
30. Employee No. 525140	XXX-XX-	Gross Back Wages: \$1,054.88 Liquidated Damages: \$0.00 Misclass Penalty: \$63.14 Total Monies Due: \$1,118.02
31. Employee No. 525141	XXX-XX-	Gross Back Wages: \$6,135.52 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$6,135.52

Total Gross Back Wages Due: \$73,750.56

Total Liquidated Damages Due: \$0.00

Total Misclass Penalty Due: \$3,922.78

Total Monies Due Employees: \$77,673.34



### State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PO BOX 389 TRENTON, NEW JERSEY 08625-0389

January 25, 2024

Michelle Machado, Managing Member and Individually; and Concrete Solutions NJ LLC 176 Central Ave West Caldwell NJ 07006

Public Works Johsite(s):
PC-148-0523-MAR
Borough of Leonia
Leonia Police/Court Building; Leonia police court new building.
PC-417-0922-MAR
Dunellen Public Schools BOE
Classroom Addittion at John P. Feber Elementary School: Additions

Dear Sir or Madam:

Pursuant to N.J.A.C. 12:60-7.4 of the New Jersey Prevailing Wage Regulations, you are hereby provided with a written notice of debarment as follows:

- (1) Debarment is being considered against Concrete Solutions NJ LLC; and Michelle Machado, Managing Member and Individually.
- (2a) N.J.S.A. 34:11-56.37 provides, "In the event that the commissioner shall determine, after investigation, that any contractor or subcontractor has failed to pay the prevailing wage he shall thereupon list and keep on record the name of such contractor or subcontractor and forthwith give notice by mail of such list to any public body who shall request the commissioner so to do. Where the person responsible denies that a failure to pay the prevailing wage has occurred, he shall have the right to apply to the commissioner for a hearing which must be afforded and a decision rendered within 48 hours of the request for a hearing. If the commissioner rules against the petitioning party he shall have the right to apply for injunctive relief in the Superior Court against the listing by the commissioner."
- (2b) N.J.S.A. 34:11-56.38 provides, "The public body awarding any contract for public work, or otherwise undertaking any public work, or entering into a lease or agreement to lease pursuant to which public work is to be done, shall first ascertain from the commissioner the list of names of contractors or subcontractors who have failed to pay prevailing wages as determined in Section 13 of this act, and no contract shall be awarded to such contractor or subcontractor, or to any firm, corporation or partnership in which such contractor or subcontractor has an interest until three years have elapsed from the date of listing as determined in Section 13 of this act."



New Jersey Is An Equal Opportunity Employer

For purposes of this section, "interest" shall mean an interest in the firm, corporation or partnership bidding on, or performing public work, whether having the interest as an owner, partner, officer, manager, employee, agent, consultant or representative. The term may also include, but not be limited to, all instances in which the contractor or subcontractor listed by the commissioner under section 13 of this act has received payments, whether those payments are in the form of cash or any other form of compensation from the firm, corporation or partnership, or when the contractor or subcontractor listed by the commissioner under section 13 of this act has entered into any contract or agreement with the firm, corporation or partnership for services performed or to be performed, for services that have been or will be assigned or subletted, or for the sale, rental or lease of vehicles, tools, equipment or supplies during the period from the initiation of the proceedings under section 13 of this act against the contractor or subcontractor until three years have elapsed from the date that the contractor or subcontractor has been listed by the commissioner under section 13 of this act. The term "interest" shall not include shares held in a publicly traded corporation if the shares were not received as compensation after the initiation of proceedings under section 13 of this act from a firm, corporation or partnership bidding or performing public work.

A rebuttable presumption that a contractor or subcontractor listed by the commissioner under section 13 of this act has an interest in another firm, corporation or partnership may arise if the two share any of the following capacities or characteristics: (1) perform similar work within the same geographical area and within the same monetary range, (2) occupy the same premises, (3) have the same telephone number or fax number, (4) have the same email address or internet website, (5) employ substantially the same administrative employees, (6) utilize the same tools and equipment, (7) employ or engage the services of any listed person or persons involved in the direction or control of the other, or (8) list substantially the same work experience in order to obtain the requisite pre-qualification rating from the Department of Treasury, or any other entity, to participate in any public work.

If a rebuttable presumption has arisen that a contractor or subcontractor listed by the commissioner under section 13 of this act has an interest in another firm, corporation or partnership, the adversely affected contractor or subcontractor, including the firm, corporation or partnership, which would by virtue of a finding of "interest" be prevented under this section from being awarded public work, may request a hearing, which shall be conducted in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

(2c) N.J.A.C. 12:60 - 7.2 provides that "Interest" means an interest in the entity bidding or performing work on the public works project, whether as an owner, partner, officer, manager, employee, agent, consultant or representative. The term also includes, but is not limited to, all instances where the debarred contractor or subcontractor receives payments, whether cash or any other form of compensation, from any entity bidding or performing work on the public works project, or enters into any contracts or agreements with the entity bidding or performing work on the public works project for services performed, or to be performed, for contracts that have been or will be assigned or sublet, or for vehicles, tools, equipment or supplies that have been or will be sold, rented or leased during the period from the initiation of the debarment proceedings until the end of the term of the debarment period. "Interest," however, does not include shares held in a publicly traded corporation if the shares were not received as compensation after the initiation of debarment from an entity bidding or performing work on a public works project.

(3) The specific details of the violations are: Case No(s): PC-148-0523-MAR, PC-417-0922-MAR Violation(s) of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C.):

<u>Citation:</u>	<u>Citation No.</u>
Records - Incomplete Records	34:11-56a20 / 12:56-4.1
Records - Earned Sick Leave	34:11D-6
Notification / Posting - Earned Sick Leave	34:11D-7
Failing to Properly Classify Employees	34:1A-1.18
Unpaid Wages / Late Payment	34:11-4.2
Failure to Pay Prevailing Wage	34:11-56.27
Records / Obstruction	34:11-56.31
Certified Payroll / Public Body	34:11-56.33 / 12:60-5.1(c)
Obstruction / Hindering	34:11-56.35
Failure to Register	34:11-56.51
Improper Classification Construction Workers	34:20-5

Wages Due:	\$90,905.68	All Case(s) as listed above
Fees Due:	\$9,090.56	All Case(s) as listed above
Penalty Due:	\$267,000.00	All Case(s) as listed above

(4a) You do have the right to a hearing to contest the foregoing if you so choose. If you want a hearing, you <u>must</u> submit <u>written notification</u> to the Commissioner requesting such a hearing within <u>15 days</u> of the date of this notice of intent to debar. You should mail your request to the following address:

Division of Wage and Hour Compliance
Director's Office
PO Box 389
Trenton, New Jersey 08625-0389

(4b) If you request a hearing pursuant to (4a) above, it is the Department's intention that the following sequence of events may occur. First, a Conference which you should attend will be scheduled at the Department, at which time this case will be fully discussed with a hearing officer, and the discussion will include, but not be limited to, topics of resolution. If the conference fails to resolve the case, it is then referred to the Office of Administrative Law (OAL) for the purpose of scheduling and holding the requested Hearing. After the OAL receives the case, it assigns the case to an Administrative Law Judge (ALJ), who holds the hearing and renders an initial decision. Thereafter, the Commissioner of Labor makes a final decision, from which appeals may be taken to the Superior Court, Appellate Division.

Sincerely.

David A. Biglin, Director

Division of Wage and Hour Compliance

Enclosure(s)
Certified and Regular Mail

Certified Mail No.: 7021 1970 0001 1365 0405



### State of New Hersen

### DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

January 25, 2024

Concrete Solutions NJ LLC 176 Central Ave West Caldwell NJ 07006

Re: PC-417-0922-MAR

Classroom Addition at John P. Faber Elementary School

Additions

Dunellen Public Schools BOE

Dear Concrete Solutions NJ LLC:

The Wage and Hour Division and Contract Compliance conducted an inspection of your firm. It has been determined you are in violation of Title 34 which provides that any person who violates any provision of the New Jersey Wage and Hour Law or regulations may be prosecuted, fined, and/or penalized. In addition, the Commissioner of Labor and Workforce Development has the authority to assess administrative fees based on the amount of back wages, liquidated damages, and misclassification penalty assessed. As a result of our inspection, you may be liable for a Penalty or both a Penalty and Administrative Fee.

Under the provisions of N.J.S.A. 34:11-4.1, an employer is any individual, partnership, association, joint stock company, trust, corporation, the administrator or executor of the estate of a deceased individual, or the receiver, trustee, or successor of any of the same, employing any person in this State. For the purposes of this act, the officers of a corporation and any agents having the management of such corporation shall be deemed to be the employers of the employees of the corporation.

Total Monies Due Employees: These monies are due directly to Employees.

Back Wages: If back wages are assessed, the gross back wages due amount is listed on the attached Monies Due

Employees Form. Gross back wages are subject to tax deductions.

Liquidated Damages: If liquidated damages are assessed, the amount is listed on the attached Monies Due Employees Form. Liquidated Damages cannot exceed 200% of gross back wages due and are not subject to tax deductions.

Misclassification Penalty: Pursuant to N.J.S.A. 34:1A-1.18, a misclassification penalty is assessed for each worker not properly classified as an employee. If a misclassification penalty is assessed, the amount is listed on the attached Monies Due Employees Form. The penalty is based up to 5% of the misclassified worker's gross back wages for the past 12

not subject to tax deductions. Administrative Fee: If back wages, liquidated damages or misclassification penalty are assessed, an administrative fee is due. The fee is equal to a percentage of total monies due employees and is based on your history of violations: 10% for the first violation, 18% for the second violation, and 25% for the third and subsequent violations.

Penalty: The attached Assessment Form provides a brief explanation of each violation, the section of law or regulation violated, and the penalty amount which has been assessed.

### Respond to this Notice within 15 Days of the above Date:

If you are not contesting this assessment, complete the bottom section of the Assessment Form and submit payment within 15 days of the above date.

If you are contesting any portion of this assessment, you must submit a written request for a telephone conference. Complete the bottom section of the Assessment Form and return within 15 days of the above date. A Division Representative will contact you by telephone to hold an informal conference to discuss your case. If your case cannot be resolved over the telephone, we will schedule you for a hearing in Trenton and send you written notification regarding your hearing.

If you have questions contact this office Monday to Friday, 8:30 am to 4:30 pm.

cc: Bismark Construction Corp

William Kiss, Section Chief Public Contracts Section

201-618-4541

#### Assessments:

Total Monies due Employees

\$10,758.19

Back Wages

\$10,758.19

Liquidated Damages
Misclassification Penalty

\$2,474.15

Administrative Fee (10% of Total Monies)

enies) \$1,323

Penalty

\$1,323.23 \$76,000.00

\$13,232,34

#### Instructions

Payment of Total Monies due Employees: Pay employees directly. For gross back wages due, provide employees with a statement of deductions. Any withholdings should be remitted to the proper taxing agencies. Liquidated Damages and Misclassification Penalty are not subject to tax deductions. Submit copies of all payments to employee (cancelled checks) and corresponding statement of deductions to this office as proof of payment.

If a former employee's check is returned to you as undeliverable, forward the returned check and statement of deductions to the Wage and Hour Division and Contract Compliance to be held in trust for that employee. Include case number on check.

- Payment of Administrative Fee and/or Penalty: Make check payable to the Commissioner of Labor and Workforce Development. Include case number on check.
- 3. Check the appropriate box below: Mail completed forms, cancelled employee checks, corresponding statement of deductions, and payment to:

Wage and Hour Division and Contract Compliance PO Box 389 Trenton, NJ 08625-0389 Fax (609) 695-1174

☐ I am submitting payment for the Administrative Fee and/or Penalty. If any main directly as per the above instructions. I am submitting copies of the cancell statement of deductions as proof of payment. Any withholdings have been remainded.	led employee checks and
☐ I am contesting the above Assessments and I am requesting a telephone c briefly):	onference to discuss my case because (explain
	Phone:
Print Name:	Fax:

# AUDIT SUNIMARY

COMPANY NAME

Concret Solutions NJ, LLC

ADDRESS

176 Central Avenue

CITY, STATE, ZIP

West Caldwell, NJ 07006

JOB LOCATION

John P Faber School. 400 High Street, Dunellen, NJ 08812

PROJECT:

20K057 Classroom Addition at John P. Faber Elementary School

JOB ACTIVITY

Classroom addition

# NAME OF EMPLOYEE



BENEFITS AND WAGES IND	ICATED DUE	5% Penalty
:	\$ 538.48 \$ 156.00 \$ 436.17 \$ 436.17 \$ 461.55 \$ 461.55 \$ 4,161.36 \$ 3,489.36 \$ 156.00 \$ 461.55 \$	\$ 510.47
TOTAL	\$10,758.19	\$2,474.15

GRAN TOTAL

\$13,232.34

NAME OF FIRM:	Concret S	olutions NJ,	LLC	The second secon		ting new keeping new tracks, but new your manners of the	TO BE BUT THE WAY OF THE PARTY	## ( * * * * * * * * * * * * * * * * * *
ADDRESS:	176 Centra	al Avenue, V	lest Cal	dwell, N 070	06			
PROJECT:	John P. Faber School. 400 High Street, Dunellen, NJ 08812							
EMPLOYEE	The state of the s	WEEK ENDING DATE	CODE TO VIOLA TIONS	HOURS WORKED	RATE PAID	RATE SHOULD BE PAID	DIFFER	TOTAL WAGES OWED
CRAFT/TRADE:	Ironworke	r. Rod/fence	Journey	man				
Rate Paid	\$25.00	10/1/2022	1	8.00	25.00	92.31	67.31	\$538.48
PW Should be paid:		hi Sacaline (sphraer al-lakk tr. smarthar 400k nomin al-lak shape bilanca.	AND THE RESIDENCE OF THE PARTY	-				ergermanyolosturmanendi talamusi operalastiko era iliminokoni kual suur
Wage	\$44.14	Antonia (a materia de Asia)		4	AND THE RESERVE OF THE PROPERTY OF THE PARTY		THE RESIDENCE OF PERSONS ASSESSED.	
<u>Benefits</u>	\$48.17	eminintaria escar de escilibra do escali mante de Amerida escil-		Annother transport of Annother transport of the Annother transport of			NAMES AND ADDRESS OF THE PARTY	
TOTAL PW	\$92.31							
		n terliki kalendari sahidi pelikun dibulum dibulum kelandiri. Na terliki kalendari sahidi sebenjak bada melali sebenjak sebenjak sebenjak sebenjak sebenjak sebenjak sebenjak			AMERICANA AL NORMANIA DE COMPENSA (MARIE A COMPE			
		nd de servicio de						
		andrillion (1), andri alexe out the confirmed the colorina decimal and color						
		et disk en di his euro aut eu ra pronomie en es dangs er ar Proposition en						
			According to the State State State of the St			- Canada Company		

TOTAL WAGES OWED

\$538.48

### Unproperty clasiffication 5% Penalty

Date from : 09/28/2022 To date : 09/28/2022

Period for 5% Calculations	Hours Reg	Hours PW	Earned Regular	Earned PW	Total earned	5% Penalty
09/28/22 to 09/28/22		8.0	\$0.00	\$738.48	\$738.48	\$36.92

NAME OF FIRM:	Concret S	olutions NJ, I	LLC		of Colory 24, 2007/2014 Investment and American	na kalin lihar da kumun ura Araba dan kumu	<	
ADDRESS:	176 Centr	al Avenue, M	/est Cal	dwell, N 07	006			
PROJECT:	John P. F	aber School,	400 Hig	h Street, D	unellen, NJ 0	8812		
EMPLOYEE	Î	WEEK	CODE	HOURS	RATE	RATE	DIFFER	TOTAL
	Action (	ENDING	то	WORKED	PAID	SHOULD		WAGES
		DATE	VIOLA			BE PAID		OWED
			TIONS					
	j							
CRAFT/TRADE:	Heavy and	General Lat	oorer-Jo	urneyman (	Class B			
Rate Paid	\$80.43	9/17/2022	1	40,00	80.43	81.73	1.30	\$52.00
		9/24/2022	1	40.00	80.43	81.73	1.30	\$52.00
PW Should be paid:		10/1/2022	1	40.00	80.43	81.73	1.30	\$52.00
<u>Wage</u>	\$46,85	rii v teks ti kindilibiy ter di sabela. Quya ayaya ja ay					**************************************	
<u>Benefits</u>	\$34.83	Appalantic to markly a known because an apparage					<del></del>	
<u>TOTAL PW</u>	\$81.73	Parishment of Process, and the State of Parishment of Column	ad all and other trees, save				******	
		A MANUAL PROPERTY AND ADDRESS OF THE PARTY AND	1	المناسب والدوالمنسب المناسب الم		***************************************	**********************	12.59(14.000,11.69(14.000))
		Marie and carle of Equation Sequences of Equity	1	- O - MARINE AND PROPERTY.	******			**************************************
		of the State of th	motor-an-annimality agricult.	Vindras salatara Peruluana Baratas Estado	erganis betriebli Sharahampin Anti-Ambalia	***************************************		<del></del>
		**************************************	***************************************			*************		**************************************
		Mark Sect. Mark Springer day op Campage (And Se					<del></del>	**************************************
		Warful and State Office and Participation of the						W
n en								
			<u>^</u>	***************************************	******************			
	<u> </u>	- According to the Street Stre			*****	-		
		····						
		••••••						
		-				·		<del></del>
A STATE OF THE PROPERTY OF THE STATE OF THE				- Annaba-Dal-marchitectum Telephone (Annaba-Dal-marchitectum Telephone (Annaba-Dal-mar				
Marie Bell Bell Bernell and Antonio Committee and Antonio Bell Antonio Antonio Antonio Antonio Antonio Antonio	1			****		<del></del>		AND DESCRIPTION OF THE PERSON
OTAL WAGES OWED			ļ	]				\$156.00

# Unproperty clasiffication 5% Penalty

Date from : 09/12/2022 To date : 09/30/2022

	1	- C. Sand the high the management of the sand the contraction	A discussion the second or the relative to the second of the beat	_	The state of the s	-	AND MARKET OF THE PARTY OF THE
	Hours			Earned PW	Total	5%	
Period for 5% Calculations	Reg.	Hours PW	Earned Regular	l	earned	Penalty	
09/12/22 to 09/30/22		120.0		\$9,807.60	\$9,807.60	\$490.38	

NAME OF FIRM:	Concret S	olutions NJ,	LLC					
ADDRESS:	176 Centr	176 Central Avenue, West Caldwell, N 07006						
PROJECT;	John P. F	John P. Faber School, 400 High Street, Dunellen, NJ 08812						
EMPLOYEE		WEEK	CODE	HOURS	RATE	RATE	DIFFER	TOTAL
		ENDING	TO	WORKED	PAID	SHOULD		WAGES
		DATE	VIOLA			BE PAID	ļ	OWED
			TIONS					
CRAFT/TRADE:		r. Rod/fence		man			<u> </u>	<u> </u>
Rate Pald	\$30.00	10/1/2022	1	7 00	30.00	92.31	62.31	\$436.17
		******		-	Car Sacramon Malayera			
PW Should be paid:								ļ
<u>Wage</u>	\$44.14							
<u>Benefits</u>	\$48.17							
<u>TOTAL PW</u>	\$92.31							
		All the said of th		******				
					***************************************			
		**************************************			-dumenting and to Linear state of		<del></del>	
		Partition of the State of the Assessment of the State of	***************************************	***************************************				
						***********		
					**************		<del></del>	
								ALI
								i

TOTAL WAGES OWED \$436.17

Unproperty clasiffication 5% Penalty

Date from: 09/20/2022 To date: 09/28/2022

	Hours	Hours PW			Total	50/ D
Period for 5% Calculations	Reg	110013 FVV	Earned Regular	Earned PW	earned	5% Penalty
09/20/22 to 09/28/22	33.0	7.0	\$990.00	\$646.17	\$1,636,17	\$81.81



### State of New Jersey

### DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PO BOX 389 TRENTON, NEW JERSEY 08625-0389

March 13, 2024

Michelle Machado, Managing Member and Individually: and Concrete Solutions NJ LLC 176 Central Ave West Caldwell NJ 07006

Public Works Jobsite(s):

PC-148-0523-MAR

Borough of Leonia

Leonia Police/Court Building: Leonia police court new building.

PC-417-0922-MAR

Dunclien Public Schools BOE

Classroom Addittion at John P. Feber Elementary School: Additions

Dear Sir or Madam:

It has been determined, after investigation, that Concrete Solutions NJ LLC and Michelle Machado, Managing Member and Individually failed to pay prevailing wages on the above referenced public work subject to the New Jersey Prevailing Wage Act.

You and your firm were given notice, by letter dated 01.23/2024 of our intended action and although you were afforded an opportunity to submit an appeal, you failed to request one. Therefore, the name(s) of Concrete Solutions NJ LLC and Michelle Machado, Managing Member and Individually shall be listed and kept on record as ineligible for public works contracts under the provisions of N.J.S.A. 34:11-56.37 and N.J.S.A. 34:11-56.38 of the New Jersey Prevailing Wage Act. No such contract shall be awarded to Concrete Solutions NJ LLC or any individual listed herein this document or any company, firm, corporation, or partnership in which you have an interest until three (3) years have elapsed from 03/13/2024.

Sincerely.

Robert Asaro-Angelo, Commissioner

Department of Labor and Workforce Development

By:

David A. Biglin, Director

Division of Wage and Hour Compliance

CERTIFIED & REGULAR MAIL

Certified Mail No.: 7021 1970 0001 1365 1112

New Jersey is an Equal Opportunity Employer



State of New Jersey
Department of Labor and Workforce Development
Wage & Hour Division and Contract Compliance
1 John Fitch Plaza, 3rd Floor
Trenton NJ 08611



Subpoena Duces Tecum

State of New Jersey,

Plaintiff

٧.

Concrete Solutions NJ LLC Frederico Magalhas 176 Central Ave. West Caldwell NJ 07066

Defendant(s)

STATE OF NEW JERSET TO: Concrete Solutions NJ LLC

YOU ARE HEREBY COMMANDED to produce electronically or by mail to the New Jersey Department of Labor and Werkforce Development via Lawrence Cirignano@dol.nj.gov

October 6, 2022 in regard to the above-captioned matter.

YOU ARE ALSO COMMANDED produce at that time the following described books, papers, documents and other tangible things for the following project(s):

John Faber School 400 High Street Dunellen.

#### Sec Ezhibit#1

Provided that if you are notified that a motion to quash the subpoena has been filed, the subpoenaed materials shall not be produced or released until ordered to do so by the court or the release is consented to by all parties to the action. Further, the subpoenaed materials shall not be produced before the above-referenced date.

Failure to comply with the coremand of this Subposta will subject you to the penalties, provided by law.

Witness my hand and the official seal of the State of

New Jersey this 29 day of September 2022

Lawrence Cirignano

Wage & Hour Division and Contract Compliance

MW-16 (12/21)

#### Edibit

- All payroll records including but not limited to; certified payroll, general payroll and time records for all hours worked both public and private for the entire period worked on the above referenced project(s), for all employees.
- Records must include; name, address, work classification (craft or trade), rate(s) of pay, daily and weekly hours, gross wages, decuctions and net wages, along with proof of payment for these wages.
- Documentation of fringe benefits; days off with pay, medical/dental insurance, life insurance,
   401K or retirement plan (copy of the plan), transmittals to a collective bargaining agency or fund.
   Proof of payment is required to receive proper credit.
- 4. Names, titles, addresses and social security numbers of owners, partners or corporate officers.

  Annual reports/certificate of incorporation GU Dept. of Treasury)
- 5. Corporate/Company name, trace name(s), FEIN, contractor registration certificate.
- 6. WR-30(s), NJ 927, Workert Comp. policy, entire period of project(s), along with proof of payment.
- 7. Copy of contract for above project. "Note—a verbal agreement is a contract (must include what was done, and amount of verbal agreement in whiling).
- 8. List of sub-contractors and contractor registration certificates along with copies of all agreements including work performed. "Note—a verbal agreement is a contract (must include what was done and amount of verbal agreement in writing).
- Apprenticeship agreements (if applicable) with USDOL, for any apprentices listed on certified payroll.

# NOTICE OF ISSUANCE OF STOP WORK ORDER.

September 29, 2022

Via hand delivery Concrete Solutions NJ LLC 176 Central Ave. West Caldwell NJ 07006

Dear Sir/Madam:

In accordance with N.J.S.A. 34(20-7.1 (a)()). Dis Department has determined you are in violation of New Jersey law following an audit investigation, and is hereby notifying you that a stop work order is being issued to you for your work ad

1) John P. Faber School 400 High Street Dunellen, NJ 08812 Stop Work Order # 2022-0041

Violations/Citations:

## N.J.S.A. 34:11-56.51 Failure to Register

Upon issuance of the stop work order at the above location, or upon your receipt of the order, you must immediately stop all work at the above-referenced location due to your violation(s) referenced above. This means that plantitust cease all business operations at those locations unless and until such direction the Commussioner issues an order releasing you from this stop work notification.

You have a right to consert this deconingtion by way of an appeal to the Commissioner. The procedure relative to appealing this stop work order determination pursuant to N.J.S.A 34:20-7.1. is the following:

(1) The contractor must notify the Director of the Division of Wage, Hour and Contract Compliance of its request for an opportunity to be heard and contest the stop work order in writing within 72 hours of its receipt of immediate suspension notification. You should mail

your request to the following address: Division of Wage. Hour and Contract Compliance, Director's Office. PO Box 389. Trenton, New Jersey 08625-0389. Alternatively, you may

Concrete Solutions NJ LLC September 29, 2022 Page (2)

make your request via email to <u>David.Biglin@dol.nj.gov</u>

- (2) Within seven business days of receipt of the notification from the contractor pursuant to paragraph (2) of this subsection, the director shall grant the contractor a hearing to contest the stop work order. The director shall permit the contractor to present evidence at the hearing.
- (3) The director shall issue a written decision within five business days of the hearing either upholding or reversing the issuance of the stop work order. The decision shall include the grounds for upholding or reversing the issuance of the stop work order.
- (4) If the contractor disagrees with the written decision, the contractor may appeal the decision to the commissioner, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et 204.).

Please be guided accordingly

Sincerely,

David A. Biglin, Director Department of Labor and Workforce Development, Division of Wage and Hour Compliance (609) 292-1704



PHILIP D. MURPHY Governor

SHEJLA Y. OLIVER
Liquichant Governor

# Sinte of New Yersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT P.O. BOX 339, TREWTON, NEW JERSEY 08625-0389

ROBERT ASARO-ANGELO

Commissioner

### NOTICE OF ISSUANCE OF STOP WORK ORDER

September 29, 2022

Via hand delivery Concrete Solutions NJ LLC 176 Central Ave.. West Caldwell NJ 07006

Dear Sir/Madam;

In accordance with N.J.S.A., 34:20-7.1 (c) $\chi^2$  is this Department has determined you are in violation of New Jersey law following an and  $\gamma$  is vestigation, and is hereby notifying you that a stop work order is being issued to you for your work at:

1) John P. Faber School 400 High Street Dunellen, NJ 08812 Stop Work Order # 2022-0041

Violations/Citations:

N.J.S.A. 34:1/-56.54 Enthure to Register

Upon issuance of the area which order at the obove location, or upon your receipt of the order, you must immediately group the seal of the above-referenced location due to your violation(s) referenced above. This means the you must cease all business operations at those locations unless and until such time. This Commissioner issues an order releasing you from this stop work notification.

You have a right to contest this determination by way of an appeal to the Commissioner. The procedure relative to appealing this stop work order determination pursuant to N.J.S.A 34:20-7.1, is the following:

(1) The contractor must notify the Director of the Division of Wage, Hour and Contract Compliance of its request for an opportunity to be heard and contest the stop work order in writing within 72 hours of its receipt of immediate suspension notification. You should



"Opportunity, Stability, Dignity,"

WAGE AND HOUR DIVISION AND CONTRACT COMPLIANCE

New Jerses is an Equal Opportunity Employer Printed on Recycled and Recycloble Paper AD-18 4D (2.21) Concrete Solutions NJ LLC September 29, 2022 Page (2)

mail your request to the following address: Division of Wage, Hour and Contract Compliance, Director's Office, PO Box 389, Trenton, New Jersey 08625-0389. Alternatively, you may make your request via email to <u>David Biglin@dol.ni.gov</u>

- (2) Within seven business days of receipt of the notification from the contractor pursuant to paragraph (2) of this subsection, the director shall grant the contractor a hearing to contest the stop work order. The director shall permit the contractor to present evidence at the hearing.
- (3) The director shall issue a written decision within five business days of the hearing either upholding or reversing the issuance of the stop work order. The decision shall include the grounds for upholding or reversing the issuance of the stop work order.
- (4) If the contractor disagrees with the written decision, the contractor may appeal the decision to the commissioner, in accordance with the "Administrative Procedure Act." P.L. 1968, c.410 (C.52:14B-1 et seq.).

Please be guided accordingly

Sincerely

David A. Biglin, Diecer Department of Labor and Workforce Development, Division of Wage and Hour

Compliance (609) 292-1704



### State of Mehr Jersey

### DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

Michelle Machado, Managing Member and Individually, and Concrete Solutions NJ LLC 176 Central Ave West Caldwell NJ 07006

September 29, 2022

Re: PC-417-0922-MAR

Classroom Addittion at John P. Feber Elementary School Additions

Dunellen Public Schools BOE

Dear Michelle Machado:

The Wage and Hour Division and Contract Compliance conducted an inspection of your firm. It has been determined you are in violation of Title 34 which provides that any person who violates any provision of the New Jersey Wage and Hour Law or regulations may be prosecuted, fined, and/or penalized. In addition, the Commissioner of Labor and Workforce Development has the authority to assess administrative fees based on the amount of back wages, liquidated damages, and misclassification penalty assessed. As a result of our inspection, you may be liable for a Penalty or both a Penalty and Administrative Fee.

Under the provisions of N.J.S.A. 34:11-4.1, an employer is any individual, partnership, association, joint stock company, trust, corporation, the administrator or executor of the estate of a deceased individual, or the receiver, trustee, or successor of any of the same, employing any person in this State. For the purposes of this act, the officers of a corporation and any agents having the management of such corporation shall be deemed to be the employers of the employees of the corporation.

Total Monies Due Employees: These monies are due directly to Employees.

Back Wages: If back wages are assessed, the gross back wages due amount is listed on the attached Monies Due

Employees Form. Gross back wages are subject to tax deductions.

Liquidated Damages: If liquidated damages are assessed, the amount is listed on the attached Monies Due Employees

Form. Liquidated Damages cannot exceed 200% of gross back wages due and are not subject to tax deductions.

Misclassification Penalty: Pursuant to N.J.S.A. 34:1A-1.18, a misclassification penalty is assessed for each worker not properly classified as an employee. If a misclassification penalty is assessed, the amount is listed on the attached Monies Due Employees Form. The penalty is based up to 5% of the misclassified worker's gross back wages for the past 12

not subject to tax deductions. Administrative Fee: If back wages, liquidated damages or misclassification penalty are assessed, an administrative fee is due. The fee is equal to a percentage of total monies due employees and is based on your history of violations: 10% for the first violation, 18%

for the second violation, and 25% for the third and subsequent violations.

Penalty: The attached Assessment Form provides a brief explanation of each violation, the section of law or regulation violated, and the penalty amount which has been assessed.

### Respond to this Notice within 15 Days of the above Date:

If you are not contesting this assessment, complete the bottom section of the Assessment Form and submit payment within 15 days

If you are contesting any portion of this assessment, you must submit a written request for a telephone conference. Complete the bottom section of the Assessment Form and return within 15 days of the above date. A Division Representative will contact you by telephone to hold an informal conference to discuss your case. If your case cannot be resolved over the telephone, we will schedule you for a hearing in Trenton and send you written notification regarding your hearing.

If you have questions contact this office Monday to Friday, 8:30 am to 4.30 pm.

cc: Bismark Construction Corp

Sincerely,

Lawrence Cirignano, Section Chief Public Contracts Section 609-292-2259

#### Assessment Form

		,	
Casa	Mo	PC-417-0922-1	MAR

Concrete Solutions NJ LLC

9/29/2022

Violation of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C.):

Violation Failure to Register Citation No. 34:11-56.51

Penalty \$2,500.00 (violation)

Assessments:

Total Monies due Employees

\$0.00

Back Wages Liquidated Damages \$0.00 \$0.00

Misclassification Penalty \$0.00
Administrative Fee (0% of Total Monies)

\$0.00

Penalty

\$2,500.00

#### Instructions

Payment of Total Monies due Employees: Pay employees directly. For gross back wages due, provide employees with a statement of deductions. Any withholdings should be remitted to the proper taxing agencies. Liquidated Damages and Misclassification Penalty are not subject to tax deductions. Submit copies of all payments to employee (cancelled checks) and corresponding statement of deductions to this office as proof of payment.

If a former employee's check is returned to you as undeliverable, add "...or Commissioner of LWD" after the employee's name on the "Pay to the Order of" line. Forward the returned check and statement of deductions to the Wage and Hour Division and Contract Compliance to be held in trust for that employee. Include case number on check.

- Payment of Administrative Fee and/or Penalty: Make check payable to the Commissioner of Labor and Workforce Development, Include case number on check.
- Check the appropriate box below: Mail completed forms, cancelled employee checks, corresponding statement of deductions, and payment to:

Wage and Hour Division and Contract Compliance PO Box 389 Trenton, NJ 98625-9389 Fax (609) 695-1174

☐ I am submitting payment for the Administrative Fee and/or Penalty. If any modifically as per the above instructions. I am submitting copies of the cancelle statement of deductions as proof of payment. Any withholdings have been rem	onies are due employees, I have paid employees ed employee checks and corresponding litted to the proper taxing agencies.
☐ I am contesting the above Assessments and I am requesting a telephone cobriefly):	onference to discuss my case because (explain
Print Name:	Phone:
Title:	Fax:



# Sinte of Meta Jersey

### DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

Frederico Magalhaes, President and Individually, and Concrete Solutions NJ LLC 175 Central Ave West Caldwell NJ 07006

September 29, 2022

Re: PC-417-0922-MAR

Classroom Addition at John P. Faber Elementary School Additions

Duneilen Public Schools BOE

Dear Frederico Magalhaes:

The Wage and Hour Division and Contract Compliance conducted an inspection of your firm. It has been determined you are in violation of Title 34 which provides that any person who violates any provision of the New Jersey Wage and Flour Law or regulations may be prosecuted, fined, and/or penalized. In addition, the Commissioner of Labor and Workforce Development has the authority to assess administrative fees based on the amount of back wages, liquidated damages, and misclassification penalty assessed. As a result of our inspection, you may be liable for a Penalty or both a Penalty and Administrative Fee.

Under the provisions of N.J.S.A. 34:11-4.1, an employer is any individual, partnership, association, joint stock company, trust, corporation, the administrator or executor of the estate of a deceased individual, or the receiver, trustee, or successor of any of the same, employing any person in this State. For the purposes of this act, the officers of a corporation and any agents having the management of such corporation shall be deemed to be the employers of the employees of the corporation.

Total Monies Due Employees: These monies are due directly to Employees.

Back Wages: If back wages are assessed, the gross back wages due amount is listed on the attached Monies Due

Employees Form. Gross back wages are subject to tax deductions.

Liquidated Damages: If liquidated damages are assessed, the amount is listed on the attached Monies Due Employees Form. Liquidated Damages cannot exceed 200% of gross back wages due and are not subject to tax deductions. Wisclassification Penalty: Pursuant to N.J.S.A. 34:1A-1.18, a misclassification penalty is assessed for each worker not properly classified as an employee. If a misclassification panalty is assessed, the amount is listed on the attached Monies Due Employees Form. The penalty is based up to 5% of the misclassified worker's gross back wages for the past 12

Administrative Fee: If back wages, liquidated damages or misclassification penalty are assessed, an administrative fee is due. The fee is equal to a percentage of total monies due employees and is based on your history of violations: 10% for the first violation, 18%

for the second violation, and 25% for the third and subsequent violations.

Penalty: The attached Assessment Form provides a brief explanation of each violation, the section of law or regulation violated, and the penalty amount which has been assessed.

### Respond to this Notice within 15 Days of the above Date:

If you are not contesting this assessment, complete the bottom section of the Assessment Form and submit payment within 15 days

If you are contesting any portion of this assessment, you must submit a written request for a telephone conference. Complete the bottom section of the Assessment Form and return within 15 days of the above date. A Division Representative will contact you by telephone to hold an informal conference to discuss your case. If your case cannot be resolved over the telephone, we will schedule you for a hearing in Trenton and send you written notification regarding your hearing.

If you have questions contact this office Monday to Friday, 8:30 am to 4:30 pm.

cc: Bismark Construction Corp

Sincerely,

Lawrence Cirignano, Section Chief Public Contracts Section 609-292-2259

#### Assessment Form

Case No. PC-417-0922-MAR

Concrete Solutions NJ LLC

9/29/2022

Violation of New Jersey Statutes Annotated (FLJ.S.A.) and/or New Jersey Administrative Code (N.J.A.C.):

Violation Failure to Register Gitation No. 34:11-56.51

Penalty \$2,500.00 (violation)

Assessments:

Total Monies due Employees

\$0.00

Back Wages

\$0.00

Liquidated Damages

\$0.00

Misclassification Penalty \$0.00
Administrative Fee (0% of Total Monies)

\$0.00

Penalty

\$2,500.00

#### Instructions

Payment of Total Monies due Employees: Pay employees directly. For gross back wages due, provide employees with a statement of deductions. Any withholdings should be remitted to the proper taxing agencies. Liquidated Damages and Misclassification Penalty are not subject to tax deductions. Submit copies of all payments to employee (cancelled checks) and corresponding statement of deductions to this office as proof of payment.

If a former employee's check is returned to you as undeliverable, add "...or Commissioner of LWD" after the employee's name on the "Pay to the Order of" line. Forward the returned check and statement of deductions to the Wage and Hour Division and Contract Compliance to be held in trust for that employee. Include case number on check.

- Payment of Administrative Fee and/or Penalty: Make check payable to the Commissioner of Labor and Workforce Development. Include case number on check.
- Check the appropriate box below: Mail completed forms, cancelled employee checks, corresponding statement of deductions, and payment to:

Wage and Hour Division and Contract Compliance PO Box 339 Trenton, NJ 08625-0389 Fax (609) 695-1174

I am submitting payment for the Administrative Fee and/or Penalty. If any modification is per the above instructions. I am submitting copies of the cancelle statement of deductions as proof of payment. Any withholdings have been remitted.	O GIIIDIONOC OLICONO OLIC	I have paid employees corresponding agencies.	5
$\square$ I am contesting the above Assessments and I am requesting a telephone cobriefly):	nference to discuss my ca	se because (explain	
Print Name:	Phone:	t	
	Fax:		

NAME OF FIRM:		Concret Solutions NJ, LLC							
ADDRESS:	176 Centra	176 Central Avenue, West Caldwell, N 07006							
PROJECT:	John P. Fa	John P. Faber School. 400 High Street, Dunellen, NJ 08812							
EMPLOYEE		WEEK ENDING DATE	CODE TO VIOLA TIONS	HOURS WORKED	RATE PAID	RATE SHOULD BE PAID	DIFFER	TOTAL WAGES OWED	
CRAFT/TRADE:	Ironworker	. Rod/Fence	Journey	man			•		
Rate Paid	\$30.00	10/1/2022	c planta at increments intelligence on the line	7.00	30.00	92.31	62.31	\$436.17	
PW Should be paid:									
Wage	\$44.14					AND RESIDENCE LANGE OF THE PARTY OF THE PART	THE RESERVE OF THE PARTY OF THE		
<u>Benefits</u>	\$48.17								
TOTAL PW	\$92.31								
		nna di lang. Ag alam santa unaparipumin paripumina Paripumin di diagnata di manganan paripumin di diser dana dana dan		ne salama and management of the salama and s					
		of kytholic and the summer of the company of the summary of the company of the co	consist and substitute of the control of the contro			valent folk kantagen og eg app de svensk i rett som kun en en kla app eg app kantagen folk folk kantagen folk kantagen en en k	photograph and the contract and the cont		

TOTAL WAGES OWED

\$436.17

### Unproperty clasiffication 5% Penalty

Date from : 09/28/2022 To date : 09/28/2022

Period for 5% Calculations	Hours at	PW rate	Total earned	5% Penalty
09/28/22 to 09/28/22	7.0	\$92.31	\$646.17	\$32.31

NAME OF FIRM:		olutions NJ, L							
ADDRESS:	176 Central Avenue, West Caldwell, N 07006								
PROJECT:	John P. Faber School. 400 High Street, Dunellen, NJ 08812								
EMPLOYEE		WEEK	CODE		RATE	RATE	DIFFER	TOTAL	
		ENDING	TO	WORKED	PAID	SHOULD		WAGES	
Alexander A		DATE	VIOLA			BE PAID		OWED	
	į		TIONS						
CRAFT/TRADE:	lronworke:	r. Rod/Fence	Journe	yman					
Rate Paid		10/1/2022	1	5.00	0.00	92.31	92.31	\$461.55	
PW Should be pald:		taga saga-mays acc siya a daciifidh mada dagadinmar la cibil raffi edi.							
<u>Wage</u>	\$44.14	ingeneral design groups from the artists of the terminal design from th							
Benefits	\$48.17					and Annual American Company	ATT. 12 - 12 - 12 - 12 - 12 - 12 - 12 - 12	<u></u>	
<u>TOTAL PW</u>	\$92.31	egangan (m. 1944). Anggyagay ayan da Palanan eleb Palan 1964 (1964). Esab	a production of the second					<u> </u>	
		COLOR STOP OF STOP STOP STOP STOP							
	Marie Caracitation for the Commercial Section 1997	ACCENTERNAL SECTION SE	Sauch Birthample van						
		A COMPANY OF THE PARTY OF THE P							
A CONTRACTOR OF THE PROPERTY O			<del>, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</del>	The second section of the section of	The Public Street Street Street Street Street				
		gar, gar, sagettige general disposar an algebyly letter date va	And the Control of th						
		2						<u> </u>	
								<u> </u>	
								<u> </u>	
TOTAL WAGES OWED								\$461.55	

### Unproperty clasiffication 5% Penalty

Date from : 09/29/2022 To date : 09/29/2022

Period for 5% Calculations	Hours Reg.	Hours PW	Earned Regular	Earned PW	Total earned	5% Penalty
09/29/22 to 09/27/22		5.0		\$461.55	\$461.55	\$23.08

NAME OF FIRM:		Concret Solutions NJ, LLC									
ADDRESS:	176 Centra	176 Central Avenue, West Caldwell, N 07006									
PROJECT:	John P. Fa	John P. Faber School. 400 High Street, Dunellen, NJ 08812									
EMPLOYEE		WEEK ENDING DATE	TO VIOLA TIONS	HOURS WORKED	RATE PAID	RATE SHOULD BE PAID	DIFFER	TOTAL WAGES OWED			
CRAFT/TRADE:	Ironworker	r. Rod/Fence	Journe	yman							
Rate Paid		10/1/2022	1	5.00	0.00	92.31	92.31	\$461.55			
PW Should be paid:	The second secon										
Wage	\$44.14				and the second second second second						
Benefits	\$48.17				THE PARTY AND THE PARTY OF THE	ARAN TO COMPANY DOLLARS WITH THE	NAME OF TAXABLE PARTY.				
TOTAL PW  MINISTER AND	\$92.31										
		er menne sette en jede geste er glave skil til til til til til til til til til t									
TOTAL WAGES OWED		and the second s	-	a samo anna indicatorio di 200 di 200 A Reille	NEW TOTAL PROPERTY OF THE PROP		The same of the sa	\$461.5			

# Unproperty clasiffication 5% Penalty Date from: 09/29/2022

To date: 09/29/2022

Period for 5% Calculations	Hours Reg.	Hours PW	Earned Regular	Earned PW	Total earned	5% Penalty	
09/29/22 to 09/29/22	1	5.0		\$461.55	\$461.55	\$23.08	

NAME OF FIRM:	Concret Solutions NJ, LLC								
ADDRESS:	176 Central Avenue, West Caldwell, N 07006								
PROJECT:	John P. Faber School. 400 High Street, Dunellen, NJ 08812								
EMPLOYEE		WEEK ENDING DATE	CODE TO VIOLA TIONS	WORKED	RATE PAID	RATE SHOULD BE PAID	DIFFER	TOTAL WAGES OWED	
CRAFT/TRADE:	Ironworkei	. Rod/Fence	Journe	yman					
Rate Paid	\$18.00	9/24/2022 10/1/2022	Control State Control State Control	32.00 24.00	18.00 18.00	92.31 92.31	74.31 74.31	\$2,377.92 \$1,783.44	
PW Should be paid:		LUI LI EUL		Commence of the second of the					
Wage	\$44.14								
Benefits	\$48.17					COMPANY OF THE PERSON NAMED IN COLUMN	AND THE PERSON NAMED IN		
TOTAL PW	\$92.31								
TOTAL WAGES OWED	processing and the second seco	nian est allen grippin de fin en perioderio de ratego est, elemante la seconda de la s						\$4,161.36	

Unproperty clasiffication 5% Penalty Date from: 09/20/2022 To date: 09/28/2022

Period for 5% Calculations	Hours Reg.	Hours PW	Earned Regular	Earned PW	Total earned	5% Penalty
09/20/22 to 09/28/22		56.0		\$5,169.36	\$5,169.36	\$258.47

NAME OF FIRM:	Concret Solutions NJ, LLC									
ADDRESS:	176 Central Avenue, West Caldwell, N 07006									
PROJECT:	John P. Faber School. 400 High Street, Dunellen, NJ 08812									
EMPLOYEE		WEEK ENDING DATE	CODE TO VIOLA TIONS	HOURS WORKED	RATE PAID	RATE SHOULD BE PAID	DIFFER	TOTAL WAGES OWED		
CRAFT/TRADE:	Ironworker	. Rod/Fence	Journey	/man				THE REAL PROPERTY AND ADDRESS OF THE PERSON NAMED IN COLUMN TWO PERSONS ASSESSMENT OF THE PERSON NAMED IN COLUMN TWO PERSONS ASSESSMENT OF THE PERSON NAMED IN COLUMN TWO PERSONS ASSESSMENT OF THE PERSON NAMED IN COLUMN TWO PERSON NAMED IN COLUMN TRANSPORT OF THE PERSON NAMED IN COLUMN TWO PERSON NAMED IN COLUMN TRANSPORT NAMED IN COLUMN TWO PERSON NAMED IN COLUMN TRANSPORT NAMED IN COLUMN TWO PERSON NAMED IN COLUMN TRANSPORT NAMED IN COLUMN TWO PERSON NAMED IN COLUMN TRANSPORT NAMED		
Rate Paid	\$30.00	9/24/2022	1	32.00	30.00	92.31	62.31	\$1,993.92		
and the second		10/1/2022	1	24.00	30.00	92.31	62.31	\$1,495.44		
PW Should be paid:							****			
Wage	\$44.14						-			
Benefits	\$48.17									
	\$92.31									

TOTAL WAGES OWED

\$3,489.36

### Unproperty clasiffication 5% Penalty

Date from: 08/23/2022 To date: 09/28/2022

	Hours Reg	Hours PW	Earned Regular	Earned PW	Total earned	5% Penalty
Period for 5% Calculations	Lieb	HOUISTVV	Larrica negatar			4=40.4=
08/23/22 to 09/28/22	168.0	56.0	\$5,040.00	\$5,169.36	\$10,209.36	\$510.47

NAME OF FIRM:		olutions NJ, I						
ADDRESS:	176 Centra	al Avenue, W	est Cal	dwell, N 070	06			
PROJECT:	John P. Fa	aber School.				8812		
EMPLOYEE		WEEK ENDING DATE	CODE TO VIOLA TIONS	HOURS WORKED	RATE PAID	RATE SHOULD BE PAID	DIFFER	TOTAL WAGES OWED
CRAFT/TRADE:	Heavy and	I General La	borer-Jo	urneyman C	lass B			
Rate Paid	\$80.43	9/17/2022		40.00	80.43	81.73	1.30	The same of the sa
		9/24/2022	1	40.00	80.43	81.73	1.30	
PW Should be paid:		10/1/2022	1	40.00	80.43	81.73	1.30	\$52.00
Wage	\$46.85	August 1 (1995) (1995) (1995) (1995) (1995) (1995)						
Benefits	\$34.88	AND THE REAL PROPERTY OF THE PARTY OF THE PA	-					
<u>TOTAL PW</u>	\$81.73							
		en commentation have an add drawn in non-membratist based and or of the comment		na <sub>se</sub> kanakusanyana o Opisa kutobehiskifan Savakusa di Opisa kutobehis (international) Propinsi o Opisa kutobehis (international)				
		austriage with ignitivation in process that the desired distance of the second distance of						
TOTAL WAGES OWED	· ·	en inches extrector uno facilitativo entri	AND SOLVEN TO SOLVE THE SO			-		\$156.0

## Unproperty clasiffication 5% Penalty

Date from : 09/12/2022 To date : 09/30/2022

	Hours	- Charles developed and a second a second and a second and a second and a second and a second an		Earned PW	Total earned	5% Penalty
Period for 5% Calculations	Reg.	Hours PW	Earned Regular			
09/12/22 to 09/30/22		120.0		\$9,807.60	\$9,807.60	\$490.38

NAME OF FIRM:		olutions NJ, L						
ADDRESS:		al Avenue, W						
PROJECT:	John P. Fa	aber School.			nellen, NJ			
EMPLOYEE		WEEK	CODE	HOURS	RATE	RATE	DIFFER	TOTAL
		ENDING	ТО	WORKED	PAID	SHOULD		WAGES
2 (1) 2 (1)	and the same of th	DATE	VIOLA			BE PAID		OWED
			TIONS					
CRAFT/TRADE:	Ironworke	r. Rod/Fence	Journe	NAME AND ADDRESS OF THE OWNER, THE PARTY OF THE OWNER,				
Rate Paid		10/1/2022	1	5.00	0.00	92.31	92.31	\$461.55
PW Should be paid:		an agus a three an taga an a <b>gus threataid threigh a</b> an agus t <b>hr</b> eatain agus	Company of the Common C					
Wage	\$44.14						NO SERVICIO DE	
Benefits	\$48.17	and the desire to the second s						
TOTAL PW	\$92.31		44					
		ally are the second of the sec					4-12-2-1-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2	
		a company or electronists with the month of		and the second s	-	-		Contract Annual Contract Contr
		or electrical account account of Association Services	- www.communication.com			ACTOR DE LA COMPANSION DE	ALONDO MATERIAL DE MATERIAL DE L'ANGUE	
			aranen aran aran		erici (marca), a fanta farancia (marca) (marca			
	-	and the first of the same of t	-		PERSONAL PROPERTY OF STREET, MANAGEMENT OF STREET, STR	METERS AND THE PROPERTY OF THE		
	-	na novi industrial l'imperenziani della propria di nazione na sistem	ali, anamin'ny fivondrona adamin'ny					
		of the country of the Common o				and account of the second seco		
		and described the second of th	Action of the second of the second of					
			-	AND THE RESERVE OF THE PARTY OF	A CONTRACTOR OF THE CONTRACTOR			
			-					
				Control Copy St. Williams and M. Electric Wilde			AND THE RESIDENCE OF THE PARTY OF THE PARTY.	
						-		-
		enada) esperitorio de esta arribada de Francis de Prantis de Prant	en plantin in geringen per en				ALL DESCRIPTIONS OF THE PARTY O	
TOTAL WAGES OWED		r sydninklys i gylli ollenni in genel terilliri, ma	ordered surrelements	THE RESERVE OF THE PARTY OF THE			COMPANY OF PERSONS ASSESSMENT ASS	\$461.55

# Unproperty clasiffication 5% Penalty

Date from : 09/29/2022 To date : 09/29/2022

Period for 5% Calculations	Hours Reg.	Hours PW	Earned Regular	Earned PW	Total earned	5% Penalty
09/29/22 to 09/29/22	*************	5.0		\$461.55	\$461.55	\$23.08

John P. Fa	ber School.				08812		
	VVEEK	CODE				DIFFER	TOTAL
	ENDING	TO	WORKED	PAID	SHOULD		WAGES
	DATE				BE PAID		OWED
		TIONS					
Heavy and	General Lat	orer-Fo	reman				
\$86.43	9/17/2022	1	40.00			Andreas and the same of the same of the same of	
	9/24/2022	1	40.00			AND THE RESERVE OF THE PARTY OF	
	10/1/2022	1	40.00				24. 2.4. 2
\$49.15					and the second s	AND A CONTROL OF THE PARTY OF THE PARTY.	
\$34.88	Service Control of Service Ser					and the second second second second second	
\$84.03	***************************************					anne commence de la france	
						A SAN PARK	
							A STATE OF THE STA
Maria Ma	and a common table of the design of the second of the seco	Court Terror de l'announce de	macramina dipensional Laborator (1980)				
	CONTRACTOR OF THE PROPERTY OF	-					
	are to popular a residence of the second and a residence						
	Expression of American States and American						
				ACCURAGE AND ADDRESS OF THE PARTY OF THE PAR			
						-	
	en e	-	- decrease and a second of the			at more representatives	\$0.0
	176 Centra John P. Fa Heavy and \$86.43 \$49.15 \$34.88	176 Central Avenue, W John P. Faber School.  WEEK ENDING DATE  Heavy and General Lat \$86.43 9/17/2022 9/24/2022 10/1/2022 \$49.15 \$34.88	John P. Faber School. 400 Hig  WEEK CODE ENDING TO DATE VIOLA TIONS  Heavy and General Laborer-Fo \$86.43 9/17/2022 1 9/24/2022 1 10/1/2022 1 \$49.15 \$34.88	176 Central Avenue, West Caldwell, N 070     John P. Faber School. 400 High Street, Du	176 Central Avenue, West Caldwell, N 07006   John P. Faber School. 400 High Street, Dunellen, NJ 0	176 Central Avenue, West Caldwell, N 07006   John P. Faber School. 400 High Street, Dunellen, NJ 08812   WEEK   CODE   HOURS   RATE   RATE     ENDING   TO   WORKED   PAID   BE PAID     DATE   VIOLA   TIONS     Heavy and General Laborer-Foreman   \$86.43   9/17/2022   1   40.00     9/24/2022   1   40.00     \$49.15   \$34.88   \$86.40   \$40.00     \$49.15   \$34.88   \$86.40   \$40.00     \$40.00   \$40.00   \$40.00     \$40.00   \$40.00   \$40.00     \$40	176 Central Avenue, West Caldwell, N 07006   John P. Faber School. 400 High Street, Dunellen, NJ 0812   WEEK   CODE   HOURS   RATE   RATE   SHOULD   BE PAID

# Unproperty clasiffication 5% Penalty Date from: 09/12/2022

To date: 09/30/2022

Period for 5% Calculations	Hours Reg.	Hours PW	Earned Regular	Earned PW	Total earned	5% Penalty
09/12/22 to 09/30/22		120.0		\$10,083.60	\$10,083.60	\$504.18

# EXHIBIT A-3

Site Inspection: MW-216, summary and questionnaire

## NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DI ION OF WAGE AND HOUR COMPLIANC

CONTRACT	OR 🗌	1	SUBCONTRACTOR	$\boxtimes$			Site Inspection -up Site Inspection
	tration # (Public Projects			(Public Projects Only)	Site Reco	THE RESERVE AND ADDRESS OF THE PARTY OF THE	and a second
NAME	And the state of t		and the state of t	ж. «Ференция пере пересей в выполнения поможения» — «Меренция пересей» «Пересей» Меть на ференция выполнения фе	and the state of t	mannan ng Ayu jugantahaga nasan	and the second s
•			CITY		STATE	NJ	ZIP 08724
ADDRESS			GIT .	<del>-</del>	<b>, -</b>	•	•
	cean			TELEPHONE NO.			
			HIRED ABOVE NA	MED LOWER TIE (Public Projects Only)	R CONTRACT Site Reco	OR: rd #	
Business Regis	tration # (Public Projects	Only)	732269	(Papile Plojecta Striy)	106017	ar a sameta e a ca	anner Angle . Anner men en e
NAME CON	CRETE SOLUTIONS	NJ, LLC			J	ì	I
ADDRESS	176 Central Avenue		CITY	West Caldwell	STATE	NJ	ZIP   07006
COUNTY	Essex			TELEPHONE NO	973-220-5160		
PRIME CON	TRACTOR INFORM	MATIO	N:				
	tration # (Public Projects		LWD Registration #	(Public Projects Only)	Site Reco 106016	rd #	
NAME BIS	SMARK CONSTRUCT	TION CC	CONTRACTOR OF THE PROPERTY AND ADDRESS OF THE PROPERTY OF THE	anguningan	1	1	Į.
ADDRESS	207-209 Berkeley Av	venue	CITY	Newark	STATE	; NJ	ZIP 07107
COUNTY	Essex			TELEPHONE NO.	973-412-922	3	
			JOB SITE	E OWNER			
NAME Dune	ellen Public Schools	BOF	er og vårgånde dy plettide i 1986 – 198 folk sterri kritiske, skrippettin de kritiske til grenne får og tille fredste dette	and respectively fluid to the control of the contro	A CARLON OF THE PARTY OF THE PA	. XII	ZIP 08812
ADDRESS	400 High Street		CITY	Dunellen	STATE	NJ	ZIP 08812
	the commence of the second second second second		ons at John P. Faber Ele	ementary School	and the common terminates a second to the contract of the cont		and the second of the second o
-	rion 400 High Street.		CONTRACT AWARD DAT	E (Public Projects Only)	COUNTY COV	ERED (Pub	lic Projects Only)
DATE OF DETER	RMINATION (Public Projects	(Only)	7/26/2022	E (r Bono , rojesto omy,	Middlesex		
			OWNER (	OFFICIALS			
NAME AND TITL	EQ			ADDRESS'			
COMPLAINT		r Frankli	in Ortega	ADDF	RESS		
ROUTINE [		00101111	u <del>v</del>   <b>▽</b> 1	FOLLOW-UP		CLAIM#	no seek to the
OTHER 🗌	EXPLAIN: C workers	Concrete	Solutions is working in	the jobsite. Unregist		апо рау	ng cash to the
PROJECT# C	lassroom Additions at	John P.	Faber Elementary Sch	ool			
DATES AND TIM		CTORS OF	FICE, OWNER'S OFFICE, ET	TC DATE IN	Į	OUT	LOC.
09/28/2022 DATE	11:20 AM 1	12:30 PM OUT	Jobsite LOC.	DATE IN	P	OUT	LOC.
DATE REPORT			,	RECEIVED IN TRENTO	ON OFFICE:		1
DATE REPURT	IO VARIATEN OUTEOLER						
SIGNATURE (	OF FIELD REPRESENTA	ATIVE S	Sonia A. Mariscal				

EMPLOYEES NAME ADDRESS, RATE, BENEFITS, HOURS, CLASSIFICATION, & LENGTH OF TIME ON THE JOB

# INVESTIGATORS COMMENTS

1. Name:		
Address:		
Showed me ID		
Phone #:		

Rate: He gets paid \$30 per hour

Prevailing Rate: worker informed me that the prevailing wage rates are not posted on this job site, and that the company did not inform him that this is a public project and about the prevailing wage

Benefits: He doesn't know, since stated today is his first day

ns mscoay

Hours: today he started at 8:00 am.

Works for this company 1 week ago, today is the first day at this location.

Classification: Labor Assistant

Paid: He stated that at this time he does not know if he is paid in cash, or in the payroll, since is working for the company 1 week

Works for and gets paid by: He does not the company name. He works for (Boss) and for Supervisor)

Supervisor and Foreman on site: none

Gets to work by company van.

Observed workers doing rebar installation and iron wall installation.

Worker received a phone call when I started the interview.

He was not very cooperative. Very short and confusing answers.

He is the driver, since stated it. Temporal License plate). Picture was taken. (See Attached)

2.ID from
Address:
Phone #

Craft: Labor, at this time doing rebar and metal wall installation.

Working in this project around 1 week, started last Tuesday 09-20-22.

Working with the company 1 month and a half

Rate: \$30/hours (No paystub received; no taxes deducted. Paid by check, weekly. Monday is the day of payment. He is getting paid on the site.

No Benefits received.

Work schedule: Monday to Friday 7am to 3:30 pm

Gets to the jobsite in a private car. He does not the name of the driver. Pick up location Train Station in Newark. No pay for ride.

Supervisor: (owner)

During this month and a half that he is working with the company, he also worked in other project in Newark, but he didn't share more information about the project.

Address:

Phone #:

Company name he works with:

Craft duties: Labor

Today is the first day at this project, and first day with the company.

Rate: He is not sure, since today is the first day. He thinks that \$30/hour. Weekly and the day of payment is Monday.

Work Schedule: Started today at 8am to 3:30 pm (1/2 hour for lunch)

Benefits: He does not know.

He was picked up in

Worker was observed installing the metal wall in the pole (rebar) area.

He was not very cooperative. Very short and confusing answers.

ID from Address Phone # Trade: Labor First day working in this jobsite.1 year working with the company. Boss name Frederick and phone number TORRES He stated he works for CONSTRUCTION (who hired them) hired ohone# is the company that to projects to work. gives

Rate: \$25/hour, weekly. Monday is the payment day.

He was getting paid in cash, since the last 3 months he is getting paid by check, personal check. No Paystub, no taxes deducted.

Benefits: No benefits, no sick days, no vacations.

Working Schedule: Monday to Saturday 7am to 3:30 pm (30 minutes lunch)

No overtime rate paid. He received the straight rate for overtime.

He gets to the jobsite in a pick up location at taken Plate. Pick up location at home processing the pick up location at home

No supervisor. He follows all the marks.

Last week he worked 43 hours, and was paid the total amount \$1,075 (\$25/hour). He showed me a picture of this check.

He stated that this project started one month ago.

is the one who reports the hours to the company.

He was not very cooperative. Very short and confusing answers.

Worker was observed doing the concrete form.

ddress:  hone #:  fe works for FREDY)	
hone #:	
le works for the FREDY)	
l e e e e e e e e e e e e e e e e e e e	
rade: He was doing rebar	
Vorking in this project 1 week, and 1 month with he company.	
Rate: \$18/hour Cash. Paid at the jobsite	
Nork Schedule: Monday to Friday 8 to 10 hours per day.	
Overtime NO	
Gets to the jobsite in a Van, picked up at his nouse.	
COMMENTS.	
COMMENTS: The workers interviewed were not very cooperative. spoke with the company. I asked him because name of the company.	
RECOMMENDATIONS:	

#### AUDIT SUMMARY

COMPANY NAME

Concrete Solutions NJ LLC

ADDRESS

176 Central Ave

CITY, STATE, ZIP

West Caldwell, NJ 07006

JOB LOCATION

Leonia Police Court Building

JOB ACTIVITY

New building at Leonia Police Court Building

PUBLIC BODY

Borough of Leonia

#### NAME OF EMPLOYEE



,	Pvv vvages			
	Owed	5	% Penalty	
\$	1,054.88	\$	63.14	
\$	428.55	\$	25.65	
\$	527.44	\$	31.57	
\$	2,109.76	\$	126.29	
\$	6,329.28	\$	378.86	
\$	527.44	\$	31.57	
\$	10,254.48	\$	536.72	
\$	2,274.59	\$	136.15	
\$	2,274.59	\$	136.15	
\$ \$	527.44	\$	31.57	
\$	1,054.88	\$	63.14	
\$	955.99	\$	57.22	
\$	10,645.92	\$	568.30	]
\$	4,219.52	\$	252.58	
\$	1,250.50			Reported in WR30
\$	527.44	\$	31.57	**
\$	1,054.88	\$	63.14	
\$	1,582.32	\$	94.72	
\$	527.44	5	31.57	
\$	1,054.88	\$	63.14	
\$.	527.44	\$	31.57	
\$	527.44	\$	31.57	
\$	9,466.32	\$	568.30	
\$	2,109.76	\$	126.29	
\$	1,582.32	\$	94.72	
\$	1,582.32	\$	189.43	
\$	527.44	\$	31.57	
\$	1,054.88	\$	63.14	
\$	6,135.52			Reported in WR30
\$	527.44	\$	31.57	
\$	527.44	\$	31.57	

TOTAL

\$73,750.52

\$3,922.82

Total PW wages to be paid 5% penalty PW jobs

TOTAL TO BE PAID

\$	73,750.52
c <sup>4</sup>	3,922.82

\$ 77,673.34

#### MISCLASSIFIED WORKERS

#### 5% PENALTY CALCULATIONS

COMPANY NAME

Concrete Solutions NJ LLC

ADDRESS

176 Central Ave

CITY, STATE, ZIP

West Caldwell, NJ 07006

JOB LOCATION
JOB ACTIVITY
PUBLIC BODY

Leonia Police Court Building

New building at Leonia Police Court Building

Borough of Leonia

	Total	Total erned	
	Hours	at this	5% Penalty
Employee	worked	project	
1	16.00	\$ 1,262.88	\$ 63.14
2	6.50	\$ 513.05	\$ 25.65
3	8.00	\$ 631.44	\$ 31.57
4	32.00	\$ 2,525.76	\$ 126.25
5	96.00	\$ 7,577.28	\$ 378.86
6	8.00	\$ 631.44	\$ 31.57
7	136.00	\$ 10,734.48	\$ 536.72
8	8.00	\$ 631.44	\$ 31.57
9	8.00	\$ 631.44	\$ 31.57
O	34.50	\$ 2,723.09	\$ 136.15
1	34.50	\$ 2,723.09	\$ 136.15
2	8.00	\$ 631.44	\$ 31.57
3	16.00	\$ 1,262.88	\$ 63.14
4	14.50	\$ 1,144.49	\$ 57.22
5	144.00	\$ 11,365.92	\$ 568.30
5	64.00	\$ 5,051.52	\$ 252.58
7	8.00	\$ 631.44	\$ 31.57
3	16.00	\$ 1,262.88	\$ 63.14
9	24.00	\$ 1,894.32	\$ 94.72
	8.00	\$ 631.44	\$ 31.57
1	16.00	\$ 1,262.88	\$ 63.14
2	8.00	\$ 631.44	\$ 31.57
3	8.00	\$ 631.44	\$ 31.57
1	144.00	\$ 11,365.92	\$ 568.30
	32.00	\$ 2,525.76	\$ 126.29
5	24.00	\$ 1,894.32	\$ 94.72
7	48.00	\$ 3,788.64	\$ 189.43
3	16.00	\$ 1,262.88	\$ 63.14
	8.00	\$ 631.44	\$ 31.57

\$ 3,922.82

#### VIOLATION CODES

	CODE	
PREVAILING WAGE RATE, JOURNEYMAN		1 2
BENEFITS, JOURNEYMAN		۷
PREVAILING WAGE RATES, APPRENTICES		
OUT OF RATIO		3
OFF SCHEDULE		4
NON-BONAFIDE		5
BENEFITS, APPRENTICES		6
OVERTIME:		
DAILY		7
WEEKLY		8
SATURDAY		9
SUNDAY		10
HOLIDAY		11
OTHER		12

## PREVAILING WAGE RATES

Contract Dated: 03/07/2022

PW Determination: 03/01/2022 Bergen County

Mason. Bricklayer, Stone Mason

TRADE:	Foreman

	5/1/2021	
PREVAILING RATE	\$51.20	
BENEFITS	\$33.73	
TOTAL	\$84.93	
OT	\$ 127 40	

#### TRADE: Journeyman

	5/1/2021	
PREVAILING RATE	\$45.20	
BENEFITS	\$33.73	
TOTAL	\$78.93	
ОТ	\$ 118 40	