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In Reply, Use Address Inside
Wisconsin Department of Transportation
Transportation District 2
141 NW Barstow St.
P O Box 0798
Waukesha, WI 53187-0798

SEND VIA:
 DOT Trk
 UPS
 First Class

Kabernehl Electric, Inc.
9542 S. 58th Street
Franklin, WI 53132

First Notice _____
Second Notice _____
Returned _____

EXHIBIT
A

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FIRST CLASS

RETURN RECEIPT
REQUESTED

HSC/H-004001



Wisconsin Department of Transportation

January 9, 2002

James Cape & Sons
P.O. Box 044580
Racine, WI 53404-701
ATTN: Ms. Nancy Turecek

TRANSPORTATION DISTRICT 2
141 N.W. Barstow Street
P.O. Box 798
Waukesha, WI 53187-0798
Telephone: (262) 521-5361
FAX: (262) 548-6465
E-mail: waukesha.dtd@dot.state.wi.us

Dear Ms. Turecek:

SUBJECT: Project No. 1103-07-72
Federal ID: NHS 2001 (035)(037)(038)
USH 41; Milwaukee County

This letter is to request that you direct Habermehl Electric, Inc. to correct its improper classification and payment of electrical workers on this contract. Our enforcement of the contract was delayed due to a court action initiated by Habermehl Electric, Inc. However, those Habermehl Electric workers who performed electrical work on WisDOT projects in the affected classifications continued to be underpaid. The court action has now been dismissed, and James Cape & Sons, as Prime Contractor on this project, is responsible for seeing that the payment of the required wage rates are paid to all workers on this project, including those of your subcontractors.

Therefore, please direct Habermehl Electric, Inc., to correct its improper classification and payment of its electrical workers on this contract. Our investigation has determined that Habermehl Electric, Inc. failed to pay the required State minimum wage rates for the State classifications of Equipment Operator, Truck Driver, and Laborer. Habermehl Electric, Inc. apparently relied only on the Federal Line Construction Series that includes the classifications of Groundman, Light and Heavy Groundman Driver, Equipment Operator, and Lineman. This resulted in underpayment to many Habermehl Electric employees. To establish your compliance with the terms of the contract, we hereby require James Cape & Sons and Habermehl Electric, Inc. to audit and correct Habermehl Electric's payroll records on this project as follows:

- All work performed on this project in which Habermehl Electric, Inc. used the classification of Groundman must be paid at the State prevailing wage rate for the classification of **General Laborer**.

The General Laborer should be paid **\$27.82 total package per hour for any work completed 6/1/01 and after**. Habermehl Electric's payrolls illustrate its Groundmen were paid **\$21.16 total package per hour for work they completed after 6/1/01** and **\$26.33 total package per hour for work they completed after 6/1/01**.

- All work performed on this project in which Habermehl Electric, Inc. used the classification of Equipment Operator must be paid at the State prevailing wage rate for the appropriate **Equipment Operator** classification.

The Equipment Operator should be paid **\$34.82 total package per hour for any work completed prior to 6/1/01**. Habermehl Electric's payrolls illustrate its equipment operators were paid **\$21.01 per hour plus an unknown amount in fringe benefits prior to 6/1/01**.

The Equipment Operator should be paid **\$36.12 total package per hour for any work completed 6/1/01 and after**. Beginning on 6/1/01 Habermehl Electric's payrolls illustrate that some of its equipment operators were paid **\$29.76 total package per hour** and some of its equipment operators were paid **\$33.21 total package per hour** and the remaining equipment operator was paid **\$26.17 per hour plus an unknown amount in fringe benefits**. At this time it is unclear whether Darren Lessard, the equipment operator paid at \$26.17 per hour was underpaid. Documentation must be received in this office no later than **February 6, 2002** that illustrates the fringe benefits paid for all of Habermehl Electric's equipment operators. Future certified payrolls submitted by Habermehl Electric, Inc. must specify whether its equipment operators are *light* equipment operators or *heavy* equipment operators.

- The classification, Electrician, should be paid **\$36.96 total package per hour**. It appears that Habermehl Electric, Inc. is underpaying their journeyman electricians at a basic hourly rate of **\$25.29 prior to 6/1/01**. It appears the total fund payment required by the union for this classification is **\$11.29 per hour prior to 6/1/01**. It is undeterminable whether Habermehl Electric, Inc. paid \$11.29 per hour to the union on behalf of its journeyman electricians or whether they paid a different amount. Please have Habermehl Electric, Inc. verify the amount of the fund payment they paid on behalf of their journeyman electricians. If the fund payment paid by Habermehl Electric, Inc. differs from the amount shown above, our office should receive evidence by **February 6, 2002** indicating the actual fund payment they paid to the union on behalf of its electricians. The evidence should include a breakdown of the amounts paid to each fund. If back wages are owed to the journeyman electricians, please have Habermehl Electric, Inc. follow the instructions below to pay the back wages due.

Finally, contract provisions require that the following steps be taken to establish compliance:

- Please instruct Habermehl Electric, Inc. to perform an audit of their pay practices for all of their classifications utilized on this project and present to our office a **comprehensive spreadsheet** detailing the affected employees, number of affected hours per week and intended corrections to monetarily compensate workers requiring back pay on this project. In addition, a complete list of the fringe benefits paid to the union for each of the classifications used and covering the entire length of this project must be included in the submittal. Verification of these fringe benefit payments to the union by Habermehl Electric, Inc. may be requested at a later date. Please have Habermehl Electric, Inc. submit all of the requested information to you. Once you have reviewed the submittal for completeness, please forward it to my attention. This information must be received in this office no later than **February 6, 2002**.

- Once the submittal is reviewed and approved by this office, Habermehl Electric, Inc. will be responsible for paying back wages to all of the affected employees. Photocopies of the back wage checks must be provided to this office. You will receive notification from this office of the due date for this information. At that time, you will also be given a deadline in which the front and back of the endorsed canceled back wage checks will need to be received in this office. Should Habermehl Electric, Inc. fail to pay the back wages as directed, James Cape & Sons, as Prime Contractor on this project, will be held responsible.

Please keep in mind that as prime contractor on this project you are ultimately responsible for ensuring that all aspects of the contract are fulfilled. It is your responsibility to see that Habermehl Electric, Inc. provides all of the information requested in this letter. Should you have any project specific prevailing wage rate questions, please feel free to telephone me at (262) 548-5668. Any questions regarding Habermehl Electric's non-compliance may be directed to Marilyn Kuick of the Wisconsin Department of Transportation's Central Office at (608) 266-3985.

Sincerely,



Lori Nelson
Equal Rights Officer
EEO/DBE/Labor Compliance Unit

Cc: Habermehl Electric, Inc.
Marilyn Kuick, WisDOT Central Office
John Carroll, DBE Programs Office
Ryan Luck, Project Manager, C3
Dale Oldenburg, Field Project Manager, C1
Wafa Elqaq, Project Team Leader C3



Wisconsin Department of Transportation

January 9, 2002

TRANSPORTATION DISTRICT 2
141 N.W. Barstow Street
P.O. Box 798
Waukesha, WI 53187-0798
Telephone: (262)521-5361
FAX: (262)548-6465
E-mail: waukesha.dtd@dot.state.wi.us

James Peterson & Son, Inc.
P.O. Box 120
Medford, WI 54451
Attn: Ann

SUBJECT: Project No. 1331-06-76
STP 2001 (585) Waukesha County
Mukwonago-Wales Rd. STH 83

Our department conducted a routine payroll review of the certified payrolls for the above listed project. As a result of that review, the following concern was found:

- The classification, Electrician, should be paid **\$38.47 total package per hour on this project**. It appears the total fund payment required by the union for this classification is **\$11.91 per hour as of 6/1/01**. It is undeterminable whether Habermehl Electric, Inc. paid \$11.91 per hour to the union on behalf of its journeyman electricians or whether they paid a different amount. Please have Habermehl Electric, Inc. verify the amount of the fund payment they paid on behalf of its journeyman electricians to the union. If the fund payment paid by Habermehl Electric, Inc. differs from the amount shown above, our office should receive evidence by **February 6, 2002** indicating the actual fund payment they paid to the union on behalf of its journeyman electricians on this project. The evidence should include a breakdown of the amounts paid to each fund. If back wages are owed to the journeyman electricians, please have Habermehl Electric, Inc. follow the instructions that follow to pay the back wages due.

Contract provisions require that the following steps be taken to establish compliance:

- Please instruct Habermehl Electric, Inc. to perform an audit of their pay practices for the trade/craft of journeyman electrician on this project and present to our office a **comprehensive spreadsheet** detailing the affected employees, number of affected hours per week and intended corrections to monetarily compensate workers requiring back pay on this project. Please have Habermehl Electric, Inc. submit all of the requested information to you. Once you have reviewed the submittal for completeness, please forward it to my attention. This information must be received in this office no later than **February 6, 2002**. **Photocopies of the back wage canceled checks are due in this office no later than March 6, 2002.**

Please keep in mind that as prime contractor on this project you are ultimately responsible for ensuring that all aspects of the contract are fulfilled. It is your responsibility to see that Habermehl Electric, Inc. provides all of the information requested in this letter. Should you have any questions, please feel free to telephone me at (262) 548-5668.

January 9, 2002

Page 2

Sincerely,



Lori Nelson

Equal Rights Officer

EEO/DBE/Labor Compliance Unit

Cc: Habermehl Electric, Inc.

John Carroll, DBE Programs Office

Sharad Moholkar, Project Manager, S2

Tim Schumann, Field Project Manager, Earth Tech

Dennis Skory, Project Team Supervisor S2



Wisconsin Department of Transportation

January 9, 2002

Payne & Dolan, Inc.
Attn: Ms. Brandy Hager
P.O. Box 781
Waukesha, WI 53187

TRANSPORTATION DISTRICT 2
141 N.W. Barstow Street
P.O. Box 798
Waukesha, WI 53187-0798
Telephone: (262)521-5361
FAX: (262)548-6465
E-mail: waukesha.dtd@dot.state.wi.us

Dear Ms Hager,

SUBJECT: I.D. 2012-02-70; STP 2001 (666) (671)
Appleton Avenue, STH 175
Waukesha County

Our department conducted a routine payroll review of the certified payrolls for the above listed project. As a result of that review, the following concern was found:

- The classification, Electrician, should be paid **\$38.47 total package per hour on this project**. It appears the total fund payment required by the union for this classification is **\$11.91 per hour as of 6/1/01**. It is undeterminable whether Habermehl Electric, Inc. paid \$11.91 per hour to the union on behalf of its journeyman electricians or whether they paid a different amount. Please have Habermehl Electric, Inc. verify the amount of the fund payment they paid to the union on behalf of its journeyman electricians. If the fund payment paid by Habermehl Electric, Inc. differs from the amount shown above, our office should receive evidence by **February 6, 2002** indicating the actual fund payment they paid to the union on behalf of its journeyman electricians on this project. The evidence should include a breakdown of the amounts paid to each fund. If back wages are owed to the journeyman electricians, please have Habermehl Electric, Inc. follow the instructions that follow to pay the back wages due.

Contract provisions require that the following steps be taken to establish compliance:

- Please instruct Habermehl Electric, Inc. to perform an audit of their pay practices for the trade/craft of journeyman electrician on this project and present to our office a **comprehensive spreadsheet** detailing the affected employees, number of affected hours per week and intended corrections to monetarily compensate workers requiring back pay on this project. Please have Habermehl Electric, Inc. submit all of the requested information to you. Once you have reviewed the submittal for completeness, please forward it to my attention. This information must be received in this office no later than **February 6, 2002**. **Photocopies of the back wage canceled checks are due in this office no later than March 6, 2002.**

Please keep in mind that as prime contractor on this project you are ultimately responsible for ensuring that all aspects of the contract are fulfilled. It is your responsibility to see that

January 9, 2002

Page 2

Habermehl Electric, Inc. provides all of the information requested in this letter. Should you have any questions, please feel free to telephone me at (262) 548-5668.

Sincerely,



Lori Nelson
Equal Rights Officer
EEO/DBE/Labor Compliance Unit

Cc: Habermehl Electric, Inc.
John Carroll, DBE Programs Office
Andy Ruplinger, EMCS Field Project Manager
Frank Rivera, Project Manager N3
Jim Forseth, Project Team Supervisor N3

HSC/H-004019



Wisconsin Department of Transportation

January 9, 2002

TRANSPORTATION DISTRICT 2
141 N.W. Barstow Street
P.O. Box 798
Waukesha, WI 53187-0798

Hoffman Construction Company
123 CTH "A"
Black River Falls, WI 54615
Attention: Ms. Tammy Overlien

Dear Ms. Overlien:

**SUBJECT: Project: 1065-10-71
Fed. I.D. IM 2000 (274)
Hwy. G Waukesha County**

This letter is to request that you direct Habermehl Electric, Inc. to correct its improper classification and payment of electrical workers on this contract. Our enforcement of the contract was delayed due to a court action initiated by Habermehl Electric, Inc. However, those Habermehl Electric workers who performed electrical work on WisDOT projects in the affected classifications continued to be underpaid. The court action has now been dismissed, and Hoffman Construction Company, as Prime Contractor on this project, is responsible for seeing that the payment of the required wage rates are paid to all workers on this project, including those of your subcontractors.

Therefore, please direct Habermehl Electric, Inc., to correct its improper classification and payment of its electrical workers on this contract. Our investigation has determined that Habermehl Electric, Inc. failed to pay the required State minimum wage rates for the State classifications of Equipment Operator, Truck Driver, and Laborer. Habermehl Electric, Inc. apparently relied only on the Federal Line Construction Series that includes the classifications of Groundman, Light and Heavy Groundman Driver, Equipment Operator, and Lineman. This resulted in underpayment to many Habermehl Electric employees. To establish your compliance with the terms of the contract, we hereby require Hoffman Construction Company and Habermehl Electric, Inc. to audit and correct Habermehl Electric's payroll records on this project as follows:

- All work performed on this project in which Habermehl Electric, Inc. used the classification of Groundman must be paid at the State prevailing wage rate for the classification of **General Laborer**.

The General Laborer should be paid **\$26.62 total package per hour for any work completed 6/1/00 through 5/31/01**. Beginning on 6/1/00 Habermehl Electric's payrolls illustrate its Groundmen were paid at various rates which include **\$14.44 per hour, \$17.07 per hour, \$18.38 per hour, and \$19.70 per hour plus an unknown amount in fringe benefits**.

The General Laborer should be paid **\$27.82 total package per hour for any work completed 6/1/01 and after. Beginning on 6/1/01** Habermehl Electric's payrolls illustrate its Groundmen were paid **\$21.16 total package per hour** and **\$26.33 total package per hour**.

- All work performed on this project in which Habermehl Electric, Inc. used the classification of Equipment Operator must be paid at the State prevailing wage rate for the appropriate **Equipment Operator** classification.

The Equipment Operator should be paid **\$34.82 total package per hour for any work completed prior to 6/1/01**. Habermehl Electric's payrolls illustrate its equipment operators were paid at a rate of either **\$21.01 per hour or \$23.63 per hour plus an unknown amount in fringe benefits prior to 6/1/01**.

The Equipment Operator should be paid **\$36.12 total package per hour for any work completed 6/1/01 and after. Beginning on 6/1/01** Habermehl Electric's payrolls illustrate that some of its equipment operators were paid **\$29.76 total package per hour** and some of its equipment operators were paid **\$33.21 total package per hour** and the remaining equipment operator was paid **\$26.17 per hour plus an unknown amount in fringe benefits**. At this time it is unclear whether Darren Lessard, the equipment operator paid at \$26.17 per hour, was underpaid. Documentation must be received in this office no later than **February 6, 2002** that illustrates the fringe benefits paid for all of Habermehl Electric's equipment operators for the entire length of this project. Future certified payrolls submitted by Habermehl Electric, Inc. must specify whether its equipment operators are *light* equipment operators or *heavy* equipment operators.

Finally, contract provisions require that the following steps be taken to establish compliance:

- Please instruct Habermehl Electric, Inc. to perform an audit of their pay practices for all of their classifications utilized on this project and present to our office a **comprehensive spreadsheet** detailing the affected employees, number of affected hours per week and intended corrections to monetarily compensate workers requiring back pay on this project. In addition, a complete list of the fringe benefits paid to the union for each of the classifications used and covering the entire length of this project must be included in the submittal. Verification of these fringe benefit payments to the union by Habermehl Electric, Inc. may be requested at a later date. Please have Habermehl Electric, Inc. submit all of the requested information to you. Once you have reviewed the submittal for completeness, please forward it to my attention. This information must be received in this office no later than **February 6, 2002**.
- Once the submittal is reviewed and approved by this office, Habermehl Electric, Inc. will be responsible for paying back wages to all of the affected employees. Photocopies of the back wage checks must be provided to this office. You will receive notification from this office of the due date for this information. At that time, you will also be given a deadline in which the front and back of the endorsed canceled back wage checks will need to be received in

this office. Should Habermehl Electric, Inc. fail to pay the back wages as directed, Hoffman Construction Company, as Prime Contractor on this project, will be held responsible.

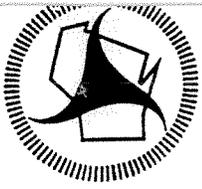
Please keep in mind that as prime contractor on this project you are ultimately responsible for ensuring that all aspects of the contract are fulfilled. It is your responsibility to see that Habermehl Electric, Inc. provides all of the information requested in this letter. Should you have any project specific prevailing wage rate questions, please feel free to telephone me at (262) 548-5668. Any questions regarding Habermehl Electric's non-compliance may be directed to Marilyn Kuick of the Wisconsin Department of Transportation's Central Office at (608) 266-3985.

Sincerely,



Lori Nelson
Equal Rights Officer
EEO/DBE/Labor Compliance Unit

cc: Habermehl Electric, Inc.
John Carroll, DBE Programs Office
Terry Sossaman, Field Project Manager S3
Tony Barth, Project Team Supervisor S3
Marilyn Kuick, WisDOT Central Office



Wisconsin Department of Transportation

January 9, 2002

Payne & Dolan, Inc.
Attn: Ms. Brandy Hager
P.O. Box 781
Waukesha, WI 53187

TRANSPORTATION DISTRICT 2
141 N.W. Barstow Street
P.O. Box 798
Waukesha, WI 53187-0798
Telephone: (262) 521-5361
FAX: (262) 548-6465
E-mail: waukesha.dtd@dot.state.wi.us

Dear Ms Hager,

**SUBJECT: Project I.D. 1100-11-70
Fed. I.D. STP 2000 (008)
USH 45; Milwaukee/Waukesha County**

This letter is to request that you direct Habermehl Electric, Inc. to correct its improper classification and payment of electrical workers on this contract. Our enforcement of the contract was delayed due to a court action initiated by Habermehl Electric, Inc. However, those Habermehl Electric workers who performed electrical work on WisDOT projects in the affected classifications continued to be underpaid. The court action has now been dismissed, and Payne & Dolan, Inc., as Prime Contractor on this project, is responsible for seeing that the payment of the required wage rates are paid to all workers on this project, including those of your subcontractors.

Therefore, please direct Habermehl Electric, Inc., to correct its improper classification and payment of its electrical workers on this contract. Our investigation has determined that Habermehl Electric, Inc. failed to pay the required State minimum wage rates for the State classifications of Equipment Operator, Truck Driver, and Laborer. Habermehl Electric, Inc. apparently relied only on the Federal Line Construction Series that includes the classifications of Groundman, Light and Heavy Groundman Driver, Equipment Operator, and Lineman. This resulted in underpayment to many Habermehl Electric employees. To establish your compliance with the terms of the contract, we hereby require Payne & Dolan, Inc. and Habermehl Electric, Inc. to audit and correct Habermehl Electric's payroll records on this project as follows:

- All work performed on this project in which Habermehl Electric, Inc. used the classification of Groundman must be paid at the State prevailing wage rate for the classification of **General Laborer**.

The General Laborer should be paid **\$25.42 total package per hour for any work completed beginning on 6/1/99 and ending on 5/31/00**. Habermehl Electric's payrolls illustrate its groundmen were paid at various rates which include **\$13.34, \$16.98, and 18.19 per hour plus an unknown amount in fringe benefits for work they completed beginning on 6/1/99 and ending on 5/31/00**.

The General Laborer should be paid **\$26.62 total package per hour for any work completed beginning on 6/1/00 and ending on 5/31/01**. Habermehl Electric's payrolls illustrate its groundmen were paid at various rates which include **\$14.44, \$18.38, and \$19.70 per hour plus an unknown amount in fringe benefits for work they completed beginning on 6/1/00 and ending on 5/31/01**.

The General Laborer should be paid **\$27.82 total package per hour for any work completed beginning on 6/1/01 and ending on 5/31/02**. Habermehl Electric's payrolls illustrate its groundmen were paid at **\$26.33 total package per hour for work they completed beginning on 6/1/01 and ending on 5/31/02**.

- All work performed on this project in which Habermehl Electric, Inc. used the classification of Equipment Operator must be paid at the State prevailing wage rate for the appropriate **Equipment Operator** classification.

The Equipment Operator should be paid **\$33.57 total package per hour for any work it completed beginning on 6/1/99 and ending on 5/31/00**. Habermehl Electric's payrolls illustrate its equipment operators were paid at various rates that include **\$19.40, \$21.01, and \$21.83 per hour plus an unknown amount in fringe benefits beginning on 6/1/99 and ending on 5/31/00**.

The Equipment Operator should be paid **\$34.82 total package per hour for any work completed beginning on 6/1/00 and ending on 5/31/01**. Habermehl Electric's payrolls illustrate its equipment operators were paid at various rates that include **\$21.01 and \$23.63 per hour plus an unknown amount in fringe benefits beginning on 6/1/00 and ending on 5/31/01**.

The Equipment Operator should be paid **\$36.12 total package per hour for any work completed beginning on 6/1/01 and ending on 5/31/02**. Habermehl Electric's payrolls illustrate its equipment operators were paid at rates of **\$29.76 total package per hour beginning on 6/1/01 and ending on 5/31/02** and **\$26.17 per hour plus an unknown amount in fringe benefits beginning on 6/1/01 and ending on 5/31/02**. At this time it is unclear whether Darren Lessard, the equipment operator paid at \$26.17 per hour, was underpaid. Documentation must be received in this office no later than **February 6, 2002** that illustrates the fringe benefits paid for all of Habermehl Electric's equipment operators. Future certified payrolls submitted by Habermehl Electric, Inc. must specify whether its equipment operators are *light* equipment operators or *heavy* equipment operators.

- The classification, Electrician, should be paid **\$35.38 total package per hour**. It appears that Habermehl Electric, Inc. underpaid its journeyman electricians at a basic hourly rate of **\$24.27 prior to 6/1/00**. It appears the total fund payment required by the union for this classification is **\$10.81 per hour prior to 6/1/00**. It is undeterminable whether Habermehl Electric, Inc. paid \$10.81 per hour to the union on behalf of its journeyman electricians prior to 6/1/00 or whether they paid a different amount. Please have Habermehl Electric, Inc. verify the amount of the fund payment they paid on behalf of their journeyman electricians prior to 6/1/00. If the fund payment paid by Habermehl Electric, Inc. differs from the amount shown above, our office should receive evidence by **February 6, 2002** indicating the

January 9, 2002

Page 3

actual fund payment they paid to the union on behalf of its electricians. The evidence should include a breakdown of the amounts paid to each fund. If back wages are owed to the journeyman electricians, please have Habermehl Electric, Inc. follow the instructions below to pay the back wages due.

Finally, contract provisions require that the following steps be taken to establish compliance:

- Please instruct Habermehl Electric, Inc. to perform an audit of their pay practices for all of their classifications utilized on this project and present to our office a **comprehensive spreadsheet** detailing the affected employees, number of affected hours per week and intended corrections to monetarily compensate workers requiring back pay on this project. In addition, a complete list of the fringe benefits paid to the union for each of the classifications used and covering the entire length of this project must be included in the submittal. Verification of these fringe benefit payments to the union by Habermehl Electric, Inc. may be requested at a later date. Please have Habermehl Electric, Inc. submit all of the requested information to you. Once you have reviewed the submittal for completeness, please forward it to my attention. This information must be received in this office no later than **February 6, 2002**.
- Once the submittal is reviewed and approved by this office, Habermehl Electric, Inc. will be responsible for paying back wages to all of the affected employees. Photocopies of the back wage checks must be provided to this office. You will receive notification from this office of the due date for this information. At that time, you will also be given a deadline in which the front and back of the endorsed canceled back wage checks will need to be received in this office. Should Habermehl Electric, Inc. fail to pay the back wages as directed, Payne & Dolan, Inc., as Prime Contractor on this project, will be held responsible.

Please keep in mind that as prime contractor on this project you are ultimately responsible for ensuring that all aspects of the contract are fulfilled. It is your responsibility to see that Habermehl Electric, Inc. provides all of the information requested in this letter. Should you have any project specific prevailing wage rate questions, please feel free to telephone me at (262) 548-5668. Any questions regarding Habermehl Electric's non-compliance may be directed to Marilyn Kuick of the Wisconsin Department of Transportation's Central Office at (608) 266-3985.

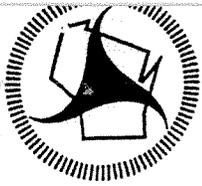
Sincerely,



Lori Nelson
Equal Rights Officer
EEO/DBE/Labor Compliance Unit

Cc: Habermehl Electric, Inc.
John Carroll, DBE Programs Office
Brian Bliesner, Project Team Supervisor C2

Marilyn Kuick, WisDOT Central Office
Mike Brumm, Field Project Manager C2



Wisconsin Department of Transportation

January 9, 2002

B.R. Amon & Sons, Inc.
W2950 Hwy. 11
Elkhorn, WI 53121
Attention: Ms. Pat Dyer

TRANSPORTATION DISTRICT 2
141 N.W. Barstow Street
P.O. Box 798
Waukesha, WI 53187-0798
Telephone: (262)521-5361
FAX: (262)548-6465
E-mail: waukesha.dtd@dot.state.wi.us

SUBJECT: Project No. 1315-07-70
Federal ID: NH 2000 (590)
Kenosha/Walworth County

Dear Ms. Dyer,

This letter is to request that you direct Habermehl Electric, Inc. to correct its improper classification and payment of electrical workers on this contract. Our enforcement of the contract was delayed due to a court action initiated by Habermehl Electric, Inc. However, those Habermehl Electric workers who performed electrical work on WisDOT projects in the affected classifications continued to be underpaid. The court action has now been dismissed, and BR Amon & Sons, Inc., as Prime Contractor on this project, is responsible for seeing that the payment of the required wage rates are paid to all workers on this project, including those of your subcontractors.

Therefore, please direct Habermehl Electric, Inc., to correct its improper classification and payment of its electrical workers on this contract. Our investigation has determined that Habermehl Electric, Inc. failed to pay the required State minimum wage rates for the State classifications of Equipment Operator, Truck Driver, and Laborer. Habermehl Electric, Inc. apparently relied only on the Federal Line Construction Series that includes the classifications of Groundman, Light and Heavy Groundman Driver, Equipment Operator, and Lineman. This resulted in underpayment to many Habermehl Electric employees. To establish your compliance with the terms of the contract, we hereby require BR Amon & Sons, Inc. and Habermehl Electric, Inc. to audit and correct Habermehl Electric's payroll records on this project as follows:

- All work performed on this project in which Habermehl Electric, Inc. used the classification of Light Groundman Driver must be paid at the State prevailing wage rate for the classification of Truck Driver Single Axle or Two Axle. The Truck Driver Single Axle or Two Axle should be paid \$25.86 total package per hour. Habermehl Electric's payroll for the week ending 9/16/00 illustrates its Light Groundman Driver was paid \$19.70 per hour plus an unknown amount in fringe benefits. Documentation must be received in this office no later than February 6, 2002 that illustrates the fringe benefits paid for all of Habermehl Electric's Light Groundman Drivers. If back wages are owed to the light groundman driver, please have Habermehl Electric, Inc. follow the instructions below to pay the back wages due.

- All work performed on this project in which Habermehl Electric, Inc. used the classification of Equipment Operator must be paid at the State prevailing wage rate for the appropriate Equipment Operator classification.
- The Equipment Operator should be paid \$34.82 total package per hour for any work completed prior to 6/1/01. Habermehl Electric's payrolls for the weeks ending 9/16/00 and 5/5/01 illustrate its equipment operator was paid at a rate of \$21.01 per hour plus an unknown amount in fringe benefits. Documentation must be received in this office no later than February 6, 2002 that illustrates the fringe benefits paid for all of Habermehl Electric's equipment operators for the entire length of this project. Future certified payrolls submitted by Habermehl Electric, Inc. must specify whether its equipment operators are *light* equipment operators or *heavy* equipment operators. Please have Habermehl Electric, Inc. follow the instructions below to pay the back wages due its equipment operator.

Contract provisions require that the following steps be taken to establish compliance:

- Please instruct Habermehl Electric, Inc. to perform an audit of their pay practices for all of their classifications utilized on this project and present to our office a **comprehensive spreadsheet** detailing the affected employees, number of affected hours per week and intended corrections to monetarily compensate workers requiring back pay on this project. In addition, a complete list of the fringe benefits paid to the union for each of the classifications used and covering the entire length of this project must be included in the submittal. Verification of these fringe benefit payments to the union by Habermehl Electric, Inc. may be requested at a later date. Please have Habermehl Electric, Inc. submit all of the requested information to you. Once you have reviewed the submittal for completeness, please forward it to my attention. This information must be received in this office no later than **February 6, 2002**.
- Once the submittal is reviewed and approved by this office, Habermehl Electric, Inc. will be responsible for paying back wages to all of the affected employees. Photocopies of the back wage checks must be provided to this office. You will receive notification from this office of the due date for this information. At that time, you will also be given a deadline in which the front and back of the endorsed canceled back wage checks will need to be received in this office. Should Habermehl Electric, Inc. fail to pay the back wages as directed, BR Amon & Sons, Inc., as Prime Contractor on this project, will be held responsible.

Please keep in mind that as prime contractor on this project you are ultimately responsible for ensuring that all aspects of the contract are fulfilled. It is your responsibility to see that Habermehl Electric, Inc. provides all of the information requested in this letter. Should you have any project specific prevailing wage rate questions, please feel free to telephone me at (262) 548-5668. Any questions regarding Habermehl Electric's non-compliance may be directed to Marilyn Kuick of the Wisconsin Department of Transportation's Central Office at (608) 266-3985.

January 9, 2002

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Sincerely,



Lori Nelson
Equal Rights Officer
EEO/DBE/Labor Compliance Unit

cc: Habermehl Electric, Inc.
John Carroll, DBE Central Office
Marilyn Kuick, WisDOT Central Office
Tim Schumann, Project Manager, Earth Tech
Tony Barth, Project Team Supervisor S3