



Wisconsin Department of Transportation

January 9, 2002

The Zignego Companies
W226 N2940 DuPlainville
Waukesha, WI 53186
Attn: Ms. Kay Phipps

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. Phipps:

SUBJECT: **Project No. 2231-06-71**
STP 2000 (277)
HWY 59; 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 The Zignego Companies, 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 The Zignego Companies 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 **\$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 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 **\$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 a rate of either **\$21.01 per hour or \$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 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.

- The classification, Electrician, should be paid **\$35.38 total package per hour.** It appears that Habermehl Electric, Inc. underpaid its journeyman electrician at a basic hourly rate of **\$24.27 through 5/31/00.** It appears the fund payment required by the union for this classification is **\$10.81 through 5/31/00.** This brings the **total package to \$35.08 per hour.** Please have Habermehl Electric, Inc. verify the amount of the hourly fund payment they paid to the union through 5/31/00 on behalf of its journeyman electrician. 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. The evidence should include a breakdown of the amounts paid to each fund. If back wages are owed to its 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, The Zignego Companies, 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.

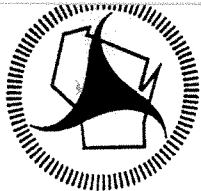
Sincerely,



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

Cc: Hank Stair, Project Manager N2
John Carroll, DBE Programs Office
Habermehl Electric, Inc.

Todd Becker, Project Team Supervisor N2
Marilyn Kuick, WisDOT Central Office



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 Cape & Sons Company
6422 N. Hwy. 31
P.O. Box 044580
Racine, WI 53404-701
Attn: Ms. Nancy Turecek

Dear Ms. Turecek:

SUBJECT: Project No. 2323-02-70
Federal ID: STP 2000 (278)
STH 74; 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 James Cape & Sons 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 James Cape & Sons 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 either **\$17.07 per hour or \$19.70 per hour plus an unknown amount in fringe benefits**.

- 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**.

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, James Cape & Sons 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,

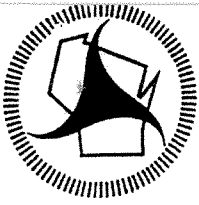


Lori Nelson

Equal Rights Officer

EEO/DBE/Labor Compliance Unit

Cc: Jim Forseth, Project Team Supervisor N3
Habermehl Electric, Inc.
John Carroll, DBE Central Office
Marilyn Kuick, WisDOT Central Office
Mark Leemon, Project Manager, N3



Wisconsin Department of Transportation

January 9, 2002

James Cape & Sons Company
P.O. Box 044580
Racine, WI 53404-7012
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. 3230-05-90 & 3340-06-91
Federal ID: STP 2000 (595)(596)
Kenosha 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 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 James Cape & Sons 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 \$25.68 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 rates of \$17.07 per hour and \$19.70 per hour plus an unknown amount in fringe benefits.

- 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 beginning on 6/1/00 and ending on 5/31/01. 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 beginning on 6/1/00 and ending on 5/31/01.

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 the 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.
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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.

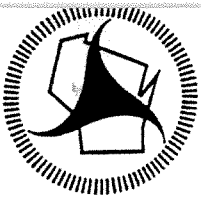
Sincerely,



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

Cc: Habermehl Electric, Inc.
Dennis Skory, Project Team Supervisor S2
John Carroll, DBE Programs Office

Ed Sanchez, Project Manager S2
Marilyn Kuick, WisDOT Central Office



Wisconsin Department of Transportation

January 9, 2002

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

James Cape & Sons Company
6422 N. Hwy. 31
P.O. Box 044580
Racine, WI 53404-7012
Attention: Ms. Nancy Turecek

Dear Ms. Turecek,

SUBJECT: **Project No. 3340-00-73**
State Hwy 31; State Funded Only
County: Kenosha/Racine

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 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 James Cape & Sons 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 **\$24.67 total package per hour** for any work completed on this project. Habermehl Electric's payrolls illustrate its Groundmen were paid at hourly rates of **\$14.44, \$17.07, \$18.38, and \$19.70 plus an unknown amount in fringe benefits**. It appears that those groundmen paid at hourly rates of **\$14.44 and \$17.07** were underpaid and that those groundmen paid at hourly rates of **\$18.38 and \$19.70** met the prevailing wage

rate of \$24.67 total package per hour. Documentation must be received in this office no later than **February 6, 2002** that illustrates the fringe benefits paid for the entire length of this project for these affected Habermehl Electric workers.

- 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 beginning on 6/1/00 and ending on 5/31/01**. 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 beginning on 6/1/00 and ending on 5/31/01**.

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 the 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**.
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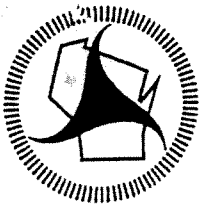


Lori Nelson

Equal Rights Officer

EEO/DBE/Labor Compliance Unit

cc: Dennis Skory, Project Team Supervisor S2
Michael Burns, Project Manager S2
Habermehl Electric, Inc.
Marilyn Kuick, WisDOT Central Office
John Carroll, DBE Programs Office



Wisconsin Department of Transportation

January 9, 2002

James Cape & Sons Company
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Attn: Ms. Nancy Turecek

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Dear Ms. Turecek:

**SUBJECT: Project No. 3340-01-73;
STH 31; Kenosha County
State Funded Only**

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 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.

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- 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 **\$25.68 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 hourly rates which include **\$17.07, \$18.38, and \$19.70 plus an unknown amount in fringe benefits.**

The General Laborer should be paid **\$26.88 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 either **\$21.16 total package per hour** or **\$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 **\$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 a rate of either **\$21.01 per hour** or **\$23.63 per hour plus an unknown amount in fringe benefits** beginning on 6/1/00 and ending on 5/31/01.

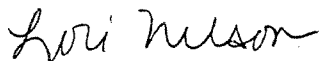
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Sincerely,

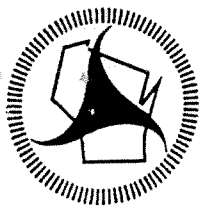


Lori Nelson

Equal Rights Officer

EEO/DBE/Labor Compliance Unit

Cc: Habermehl Electric Company, Inc.
Andy Smieja, Project Manager S2
Dennis Skory, Project Team Supervisor S2
John Carroll, DBE Programs Office
Marilyn Kuick, WisDOT Central Office



Wisconsin Department of Transportation

January 9, 2002

James Cape & Sons Company
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. 3340-02-73; STH 31; Kenosha County; State Funded Only

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 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 James Cape & Sons 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 **\$26.88 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 either **\$21.16 total package per hour** or **\$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 **\$36.12 total package per hour for any work completed beginning 6/1/01 and ending 5/31/02. 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 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 the 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 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

Project Id No. 3340-02-73

January 9, 2002

Page 3

Cc: Dennis Skory, Project Team Supervisor S2
Habermehl Electric, Inc.
Marilyn Kuick, WisDOT Central Office

John Sargent, Construction Leader S2
John Carroll, DBE Programs Office



Wisconsin Department of Transportation

January 9, 2002

James Cape & Sons, Inc.
Attn: Ms. Nancy Turecek
PO Box 044580
Racine WI 53404-7012

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 ID 3726-02-70
Fed Project Id STP 2000 (597) (598)
30th Ave. & 18th Interchange; CTH G
Kenosha County

Dear Ms. Turecek:

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 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 James Cape & Sons 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 **\$25.68 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 hourly rates of **\$14.44, \$17.07, and \$19.70 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 **\$26.88 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 **\$21.16 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 **\$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 a rate of either **\$21.01 per hour** or **\$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 some of its equipment operators were paid **\$33.21 total package per hour beginning on 6/1/01 and ending on 5/31/02**. 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.

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 the 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 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.

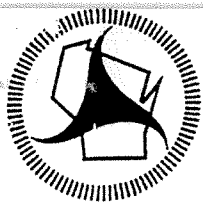
Sincerely,



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

cc: James Forseth, Project Development Supervisor – N3
Kelly Roach, Field Project Mgr., TN & Associates, Inc.
John Carroll, DBE Programs Office

Frank Rivera, Project Manager – N3
Habermehl Electric, Inc.
Marilyn Kuick, WisDOT Central Office



Wisconsin Department of Transportation

January 9, 2002

Mann Brothers, Inc.
P.O. Box 48
Elkhorn, WI 53121
Attention: Ms. Cindy Remer

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

Dear Ms. Remer:

**SUBJECT: Project No.: 1065-10-70
Fed Id No. IM 1999 (365) I-94 & G Interchange
County: Waukesha**

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 Mann Brothers, 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 Mann Brothers, Inc. to audit and correct Habermehl Electric's payroll records on this project as follows:

- The General Laborer should be paid **\$25.02 total package per hour for any work completed beginning on 6/1/99 and after**. Habermehl Electric's payrolls illustrate its groundmen were paid at hourly rates of **\$13.34 and \$16.98 plus an unknown amount in fringe benefits for work completed beginning on 6/1/99 and after**.
- 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 **\$33.07 total package per hour for any work it completed beginning on 6/1/99 and after**. Habermehl Electric's payrolls illustrate its

equipment operators were paid at hourly rates of **\$19.40 and \$21.83 plus an unknown amount in fringe benefits beginning on 6/1/99 and after.**

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.

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 its 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 the 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, Mann Bros., 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.

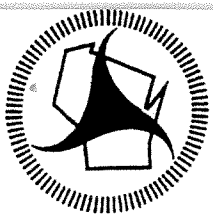
Sincerely,



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

cc: Terry L. Sossaman, Project Mgr S3
Habermehl Electric, Inc.
Marilyn Kuick, WisDOT Central Office

Tony Barth, Project Supervisor S3
John Carroll, DBE Programs Office



Wisconsin Department of Transportation

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

January 9, 2002

JF Edwards Construction Company
220 South Chicago Street
Geneseo, IL 61254-0049
Attn: Ms. Shelly Bruce

Subject: Project Id No. 1100-07-96
Fed. Id No. MG 1999 (404) Milwaukee County
USH 45 Intelligent Trans Systems

Dear Ms. Bruce:

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 JF Edwards 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 JF Edwards 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 \$25.02 total package per hour for any work completed beginning on 6/1/99 and after. Habermehl Electric's payrolls illustrate its groundmen were paid at hourly rates of \$13.34 and \$16.98 plus an unknown amount in fringe benefits for work they completed beginning on 6/1/99 and after.

- 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 \$33.07 total package per hour for any work it completed beginning on 6/1/99 and after. Habermehl Electric's payrolls illustrate its equipment operators were paid at hourly rates of \$19.40 and \$21.83 plus an unknown amount in fringe benefits beginning on 6/1/99 and after.

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, JF Edwards 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
DBE/EEO/Labor Compliance Unit

Cc: John Carroll, DBE Programs Office
Marilyn Kuick, WisDOT Central Office
Habermehl Electric, Inc.
Gary Krafcheck, Project Manager C3
Wafa Elqag, Project Team Supervisor C3



Wisconsin Department of Transportation

January 9, 2002

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

Milwaukee General Construction Co., Inc.
Box 210798
Milwaukee, WI 53221
Attention: Nonda

Dear Nonda,

SUBJECT: I.D. 2095-01-72/STP 1999 (256)
South 92nd Street
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 Milwaukee General Construction Co., 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 Milwaukee General Construction Co., 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 \$25.02 total package per hour for any work completed beginning on 6/1/99 and after. Habermehl Electric's payrolls illustrate its groundmen were paid at hourly rates of \$13.34 and \$16.98 plus an unknown amount in fringe benefits for work they completed beginning on 6/1/99 and after.

- 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 \$33.07 total package per hour for any work it completed beginning on 6/1/99 and after. Habermehl Electric's payrolls illustrate its equipment operators were paid at an hourly rate of \$19.40 plus an unknown amount in fringe benefits beginning on 6/1/99 and after.

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

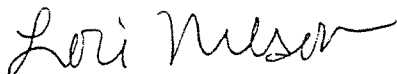
January 9, 2002

Page 3

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, Milwaukee General Construction Co., Inc., as Prime Contractor on this project, will be held responsible.

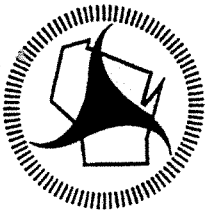
Please keep in mind that as prime contractor on this project you are ultimately responsible for ensuring that all aspects of the contract are fulfilled. It is your responsibility to see that Habermehl Electric, Inc. provides all of the information requested in this letter. Should you have any project 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/Labor Compliance/DBE Unit

cc: Jim Andreshak, Bonestroo, Rosene, Anderlik & Associates
Jim Forseth, Project Team Supervisor N3
Habermehl Electric, Inc.
Marilyn Kuick, WisDOT Central Office
John Carroll, DBE Programs Office



Wisconsin Department of Transportation

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

January 9, 2002

The Zignego Companies
Attn: Catherine I. Phipps
W226 N2940 DuPlainville Rd.
Waukesha, WI 53186

Dear Ms. Phipps:

SUBJECT: Project No. 1100-07-98, County: Milwaukee
Fed. I.D. STP 1999(595)
USH 45 Crash Investigation Sites

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 The Zignego Companies, 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 The Zignego Companies 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 hourly rates of \$13.34 and \$16.98 plus an unknown amount in fringe benefits for work they completed beginning on 6/1/99 and ending on 5/31/00.

- 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 hourly rates of \$19.40 and \$21.83 plus an unknown amount in fringe benefits beginning on 6/1/99 and ending on 5/31/00.

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.

- 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 through 5/31/00. It appears the fund payment required by the union for this classification is \$10.81 through 5/31/00. This brings the total package to \$35.08. Please have Habermehl Electric, Inc. verify the amount of the hourly fund payment they paid to the union through 5/31/00 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. The evidence should include a breakdown of the amounts paid to each fund. If back wages are owed to its 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, The Zignego Companies, 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/Labor Compliance/DBE Unit

cc: Frank Rivera, Project Manager N3
Tom Sprink, Earth Tech, Project Engineer
John Carroll, DBE Programs Office
Marilyn Kuick, WisDOT Central Office
Habermehl Electric, Inc.
Brian Bliesner, Project Team Supervisor C2

Habermehl



Wisconsin Department of Transportation

January 9, 2002

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

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

Dear Brandy,

SUBJECT: I.D. 1000-23-78
Park & Ride Lot Germantown; State Funded Only Project
Washington 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. 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 \$24.67 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 hourly rates of \$13.34 plus an unknown amount in fringe benefits for work completed beginning on 6/1/99 and ending on 5/31/00.

- 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 an hourly rate of \$19.40 plus an unknown amount in fringe benefits beginning on 6/1/99 and after.

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.

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 its 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 the 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

January 9, 2002

Page 3

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.

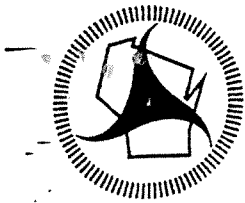
Please keep in mind that as prime contractor on this project you are ultimately responsible for ensuring that all aspects of the contract are fulfilled. It is your responsibility to see that Habermehl Electric, Inc. provides all of the information requested in this letter. Should you have any project 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: John Carroll, DBE Programs Office
Marilyn Kuick, WisDOT Central Office
Habermehl Electric, Inc.
Robert Gutierrez, Project Team Supervisor C1



Wisconsin Department of Transportation

January 9, 2002

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

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

Dear Brandy,

SUBJECT: **I.D. 1000-23-73/74**
Park & Ride Lots; State Funded Only Project
Waukesha & Milwaukee Counties

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. 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 **\$25.02 total package per hour for any work completed beginning on 6/1/99 and after**. Habermehl Electric's payrolls illustrate its groundmen were paid at hourly rates of **\$13.34 and \$16.98 plus an unknown amount in fringe benefits for work they completed beginning on 6/1/99 and after**.

- 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 **\$33.07 total package per hour for any work it completed beginning on 6/1/99 and after.** Habermehl Electric's payrolls illustrate its equipment operators were paid at an hourly rate of **\$19.40 plus an unknown amount in fringe benefits beginning on 6/1/99 and after.**

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.

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 its 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 the 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

Project ID No. 1000-23-73/74

January 9, 2002

Page 3

cc: John Carroll, DBE Programs Office
Marilyn Kuick, WisDOT Central Office
Habermehl Electric, Inc.
Wafa Elqaaq, Project Team Supervisor C3

HSC/H-004066