CH2M HILL
12377 MERIT DRIVE
10TH FLOOR
DALLAS, TX 75251
TEL 972.980-2170
FAX 972.385-0846

Submitted Electronically – Hard Copy to Contracting Officer Only
This Document Contains Confidential Business Information

April 13, 2010

395950.PP.01

Mr. Michael Pheeny, Contracting Officer
U.S. Environmental Protection Agency
1445 Ross Avenue
Suite 1200 (6MD-RP)
Dallas, TX 75202-2733

Reference: Contract No. EP-W-06-021
Remedial Action Contract 2 (RAC 2)

Subject: Davis Bacon Submittal
Task Order No. 0043-RARA-06JW
Recovery Tar Creek Operable Unit 4 (OU4) Superfund Site RA – ARRA
DCN: 0043-03011

Dear Mr. Pheeny:

The enclosed Davis Bacon Submittal Statement of Compliance Report from Delmonico Restoration & Development, LLC, is submitted in support of the subject task order in accordance with the terms and conditions of Delmonico Restoration & Development, LLC, subcontract agreement (#813207) with CH2M HILL. The labor rates have been reviewed and determined to exceed the required labor rates for the area in which the project is being performed.

Please contact me at 972/663-2261, if you have questions or need additional information.

Sincerely,

CH2M HILL

Ken McClain
Financial Manager

c: Mr. Hank Thompson/PO/ EPA Region 6
Ms. Renee Ryan/PGM/CH2M HILL
Mr. Scott Irving/DPGM/CH2M HILL
Mr. Nick Fiscina/Subcontract Administrator/CH2M HILL

Enclosures: Davis Bacon Submittal No. 4

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U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division

PAYROLL

(For Contractor's Optional Use; See Instructions, Form WH-347 Inst.)

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Rev. April 2006

NAME OF CONTRACTOR ☐ OR SUBCONTRACTOR ☑: Delmonico Restoration & Development, LLC

ADDRESS: 817 W Peachtree St. Suite 310, Atlanta,. GA 30308

OMB No.: 1215-0149
Expires: 04/30/2009

PAYROLL NO.: 14 (2 weeks)

FOR WEEK ENDING: 03/13/2010

PROJECT AND LOCATION: Tar Creek OU4 Distal Package 1

PROJECT OR CONTRACT NO.: 813207

(1) NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF EMPLOYEE	(2) NO. OF WITHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT. OR ST.	(4) DAY AND DATE / HOURS WORKED EACH DAY	(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS: FICA	WITH-HOLDING TAX	State W/H	Advance	OTHER	TOTAL DEDUCTIONS	(9) NET WAGES PAID FOR WEEK
Bruner, William	[redacted]	Laborer	O	[redacted]	[redacted]	12.00	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
			S											
Hernandez, Robert	[redacted]	Operator	O	[redacted]	[redacted]	16.00	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
			S											
Jones, Gerard	[redacted]	Operator	O	[redacted]	[redacted]	15.00	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
			S											
Livingston, John T	[redacted]	Operator	O	[redacted]	[redacted]	16.00	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
			S											
Miller, Jerry	[redacted]	Operator	O	[redacted]	[redacted]	17.00	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
			S											
Rodgers, John	[redacted]	Operator	O	[redacted]	[redacted]	17.50	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
			S											
Shoemaker, Shawn	[redacted]	Operator	O	[redacted]	[redacted]	14.00	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
			S											
Smith, Leeanna	[redacted]	Admin Asst	O	[redacted]	[redacted]	10.00	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
			S											

The Copeland Act (40 U.S.C. 3145) requires contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) Regulations 29 CFR Part 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. Compliance with these requirements is mandatory. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

We estimate that it will take an average of 56 minutes to complete this collection of information, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, ESA, U. S. Department of Labor, Room S3502, 200 Constitution Avenue, N. W., Washington, D. C. 20210.

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division

PAYROLL

(For Contractor's Optional Use; See Instructions, Form WH-347 Inst.)

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Rev. April 2006

NAME OF CONTRACTOR ☐ OR SUBCONTRACTOR ☑: Delmonico Restoration & Development, LLC

ADDRESS: 817 W Peachtree St, Suite 310, Atlanta,. GA 30308

OMB No.: 1215-0149
Expires: 04/30/2009

PAYROLL NO.: #4 (2 weeks)

FOR WEEK ENDING: 03/13/2010

PROJECT AND LOCATION: Tar Creek OU4 Distal Package 1

PROJECT OR CONTRACT NO.: 813207

(1) NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF EMPLOYEE	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT OR ST	(4) DAY AND DATE 2.28 03.01 03.02 03.03 03.04 03.05 03.06 / 03.07 03.08 03.09 03.10 03.11 03.12 03.13 HOURS WORKED EACH DAY	(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS FICA	WITH-HOLDING TAX	State W/H	Advance	OTHER	TOTAL DEDUCTIONS	(9) NET WAGES PAID FOR WEEK
Smith, Jerry	[redacted]	Operator/Foreman	O	[redacted]	[redacted]	18.00	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
			S			21.00								
Smith, Jerry II	[redacted]	Laborer/Operator	O			14.00								
			S											
Woodcock, Wesley	[redacted]	Laborer	O			12.00								
			S											
	2		O											
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			S											

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We estimate that it will take an average of 56 minutes to complete this collection of information, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, ESA, U. S. Department of Labor, Room S3502, 200 Constitution Avenue, N. W., Washington, D. C. 20210.

Date 03/14/2010

I, Anthony J. Nievera (Name of Signatory Party) President (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

Delmonico Restoration & Development, LLC (Contractor or Subcontractor) on the

Tar Creek OU4 Distal Pkg 1 - Proj 813207 (Building or Work); that during the payroll period commencing on the

28 day of 2, 2010, and ending the 13 day of 3, 2010,

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

Delmonico Restoration & Development, LLC (Contractor or Subcontractor) from the full

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 CFR Sublitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Start. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. 276c), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor; or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

☐ – in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in Section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

☑ – Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in Section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE	SIGNATURE
Anthony J.Nievera	

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.