Case 1:19-cv-11025-NMG Document 1-4 Filed 05/01/19 Page 1 of 42

mickeylong@outlook.com

From:

Mickey Long <mickeylong@outlook.com> on behalf of mickeylong@outlook.com

Sent:

Thursday, March 21, 2019 2:02 PM

To:

'ogcfoiaappeals@va.gov'

Cc:

Christina Himes

Subject:

FOIA APPEAL, FOIA Req No 19-02781-F, VA Brockton Hosp Project

Attachments:

From VA FOIA Response 2-19-2019.pdf; To VA RE FOIA Req 12-19-2018.pdf; To VA Re \$467.64 Fee Enclosed.pdf; CPRs.pdf; From Ms. Lee, PW Sheets.pdf; Email Chain, Long =

Lee, 3-21-2019.pdf; Electroinic Signatures, Requestors.pdf

FREEDOM OF INFORMATION ACT APPEAL, FOIA Request No. 19-02781-F 21, 2019; 2pm

March

Kindly accept this to replaces (or amend to correct) the prior Appeal sent earlier today. It's mostly curative in 4 ways: 1) Electronic Signatures attached; 2) CPRs only; 3) Email Chain; & 4) FOIA Request No. 19-02781-F

Dear Veterans Affairs Office of General Counsel:

My office is legal counsel to the two Requestors, each of whom are named in the December 19, 2019 Original FOIA Request. Kindly confirm receipt of this email, with its attachments, initiating my clients' appeal for their denial of information. Specifically, my clients appeal the VA's dedacted portions of the certified payroll records ("CPR") and the dedacted portion of the Davis Bacon Prevailing Wage Sheet for the Project at issue.

A hard copy of these documents will be placed in today's mail overnight, postage prepaid, unless I receive a request/instruction from your office that it is not necessary.

Attached are:

- 1. Electronic Signature of Requestors;
- 2. December 19, 2018, Original FOIA Request;
- 3. January 10, 2019, \$467.74 Fee Enclosed;
- 4. February 19, 2019, VA Response;
- 5. March 21, 2019 Email Chain of Disputed Dedactions & Denial to Compromise/Resolve (Long to Lee & Lee to Long);
- 6. Disputed Records:
 - A. Dedacted "Fringes" Column from Davis Bacon Prevailing Wage (PW) Sheet. (Note: My clients only seek the Fringes for the "ironwork" category, please.)
 - B. Dedacted Hours Columns on Certified Payroll Records ("CPRs").

Reason For Appeal

As recited in the Email Chain of March 20, 2019: My clients dispute the VA's dedactions as stated below.

Two issues regarding your dedactions (Exemption 6(b)), please:

1. On the weekly certified payroll records you dedacted, among other dedactions, the hours each day individuals worked. We object to that dedaction. We understand and do not object to the workers' name or address dedactions, of course, given the current case law as to that information. But, the hours worked each day is public information. Nothing about that data set has to do with anyone's privacy. Exemption

Case 1:19-cv-11025-NMG Document 1-4 Filed 05/01/19 Page 2 of 42

6(b) does not apply. We can't see who worked those hours each of those days, only that on the public project someone put it those hours. If we can't get that data, please provide the case law upon which the government relies to show that that specific data is exempt under 6(b), which you claim (or any other exemption). We're hoping to avoid a legal challenge on that specific exemption claim, please.

2. On the Davis Bacon Wage & Benefit rate sheet where the Iron Workers rate is located (and other trades rates) you dedacted legally mandated benefit i.e., "Fringes" rate. This is clearly public information; indeed it's part of the minimum rate. If we can't get that data, please provide the case law upon which the government relies to show that data is exempt under 6(b), which you claim (or any other exemption). We're hoping to avoid a legal challenge on that specific exemption claim. Indeed, this rate sheet is provided to all the public in the announcement/solicitations of bids. Notably, the Union represents the workers, entitling them to the information.

In short, my clients simply request that the VA please provide unredacted hours worked each day recited on the CPRs and a wage rate sheet with an unredacted "Fringes" column please, but we only need the "Ironworker" fringe rate.

If you have any questions, kindly email or call.

Respectfully submitted on behalf of Clients,

/s/ Mickey Long Attorney

cc:

Clients

Overnight Mail To:

General Counsel (024)
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

Exhibit C-1

mickeylong@outlook.com

From:

MickeyLong@outlook.com

fotA Reguest No. 19-02781-f

FREEDOM OF INFORMATION ACT APPEAL

Dear Veterans Affairs Office of General Counsel:

My office is legal counsel to the two Requestors, each of whom are named in the December 19, 2019 Original FOIA Request. Kindly confirm receipt of this email, with its attachments, initiating my clients' appeal for their denial of information. Specifically, my clients appeal the VA's dedacted portions of the certified payroll records ("CPR") and the dedacted portion of the Davis Bacon Prevailing Wage Sheet for the Project at issue.

A hard copy of these documents will be placed in today's mail overnight, postage prepaid, unless I receive a request/instruction from your office that it is not necessary.

Attached are:

- 1. December 19, 2018, Original FOIA Request;
- 2. January 10, 2019, \$467.74 Fee Enclosed;
- 3. February 19, 2019, VA Response;
- 4. March 21, 2019 Email Chain of Disputed Dedactions & Denial to Compromise (Long to Lee & Lee to Long):
- 5. Disputed Records:
 - A. Dedacted "Fringes" Column from Davis Bacon Wage Sheet. (Note: My clients only seek the Fringes for the "ironwork" category, please.)
 - B. Dedacted Hours Columns on Certified Payroll Records ("CPR).

Reason For Appeal

As recited in the Email Chain of March 20, 2019: My clients dispute the VA's dedactions as stated below.

Two issues regarding your deductions (Exemption 6(b)), please:

- 1. On the weekly certified payroll records you dedacted, among other dedactions, the hours each day individuals worked. We object to that dedaction. We understand and do not object to the workers' name or address dedactions, of course, given the current case law as to that information. But, the hours worked each day is public information. Nothing about that data set has to do with anyone's privacy. Exemption 6(b) does not apply. We can't see who worked those hours each of those days, only that on the public project someone put it those hours. If we can't get that data, please provide the case law upon which the government relies to show that that specific data is exempt under 6(b), which you claim (or any other exemption). We're hoping to avoid a legal challenge on that specific exemption claim, please.
- 2. On the Davis Bacon Wage & Benefit rate sheet where the Iron Workers rate is located (and other trades rates) you dedacted legally mandated benefit i.e., "Fringes" rate. This is clearly public information; indeed it's part of the minimum rate. If we can't get that data, please provide the case law upon which the government relies to show that data is exempt under 6(b), which you claim (or any other exemption). We're hoping to avoid a legal challenge on that specific exemption claim. Indeed, this rate sheet is provided to all the public in the announcement/solicitations of bids. Notably,

In short, my clients simply request that the VA please provide unredacted hours worked each day recited on the CPRs and a wage rate sheet with an unredacted "Fringes" column please, but we only need the "Ironworker" fringe rate.

If you have any questions, kindly email or call Respectfully submitted on behalf of Clients.

Mickey Long

Attorney | ELECTRONIC SIGNATURES

Veronica Dyer, IWDCNE Funds

Il llean to Toke Las

WILLIAM P HURLEY

FINANCIAL SECRETARY-

Shawn Nehiley, Business-Manager, Iron Workers Local 7 Boston, MA

TREASURER

cc: Clients

Overnight Mail To:

General Counsel (024)
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

Exhibit C-2

MICKEY LONG ATTORNEY

193 OLD COLONY AVENUE PO Box E-1 **BOSTON, MA 02127**

Tel. (617) 269-0229 FAX. 617.765.4300 mickeylong@outlook.com

via e-mail

December 17, 2018

VA FOIA Services: vacofoiaservice@va.gov

VA Boston FOIA Officers: VHABHSFOIAOfficers@VA.GOV

Re: FREEDOM OF INFORMATION REQUEST

VA Medical Center, 940 Belmont St., Brockton MA ("Project")

Dear Sir/Madam:

This office represents the Trustees of the Iron Workers District Council of New England Pension, Health and Welfare, Annuity, Vacation and Education Funds and other funds ("Trustees") and the Iron Workers Local 7 of Boston, MA.

This is a formal request under the Freedom of Information Act. As to any activity under the contractor BR Steel, LLC or Greystone Iron, Corp. (or both) ("Subcontractor"), please provide an opportunity to inspect and copy:

- 1. All certified payroll records (including any submitted under 40 USC, Section 3145) submitted by any entity reflecting labor performed by the Subcontractor's Employees:
- 2. All daily records of the awarding agency (including any of its agents) for the time frame during which the Subcontractor performed labor on the project, and all records describing any work performed by the Subcontractor, including documents showing any hours of labor performed by any of the Subcontractor's employees on the Project;
- 3. Any payment bond issued by the general or prime contractor (the Miller Bond):
- 4. Any and all contracts or subcontracts
 - a. between Monument Construction and the awarding authority; or
 - b. between Monument Construction and any firm where the contract regarded the scope of work or labor performed by the Subcontractor.
- 5. Any Davis-Bacon Act Wage Determinations for the Project.

I understand that there may be a fee for this, if so please inform me before you fill the request. If any part of my request is denied please give me all the records to which you think that I am entitled. Please also tell me the exact reason for the denial, and tell me to whom I may appeal.

Case 1:19-cv-11025-NMG Document 1-4 Filed 05/01/19 Page 8 of 42

Mickey Long

cc:

Christopher W. Morog, Esq. cmorog@hinckleyallen.com

Exhibit C-3

MICKEY LONG ATTORNEY

193 OLD COLONY AVENUE PO BOX E-1 BOSTON, MA 02127

TEL. (617) 269-0229 FAX. 617.765.4300 mickeylong@outlook.com

via US Overnight Mail (EL 675937313 US)

January 10, 2019

Department of Veteran Affairs VA Boston Healthcare System Mail Code 009-PO Attn: Melinda Lee

Attn: Melinda Lee 940 Belmont Street Brockton, MA 02301

Re:

FOIA Request No. 19-02781-F

Request Fee

Dear Ms. Lee:

Enclosed find check #1615 in the amount of \$467.64 to process the above referenced

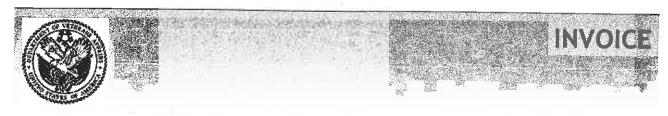
FOIA request.

Best,

Yerişeli Melo

Enclosed as stated.

File.



Department of Veterans Affairs Veteran's Health Administration

Make all checks payable to Department of the Treasury

ITEMIZED COST REPORT

FOIA REFERENCE #	F PAYMENT TERMS &	MAMOUNT DUE
19-02781-F	In Full	\$467.54

	0.50	electronic record, paper record search – 1 VHA	\$42.14/hr.	\$21.07	
200	QTY-HOURS	DESCRIPTION	類 UNIT PRICE 数	ST LINE TOTAL SE	

PAY TO THE ORDER OF	MICKEY LONG 193 OLD COLONY AVE BOSTON, MA 02127-2409 Department of the Treasury hundred Sixty seven 64/100 **Citizens Bank* A VA Brockten Greytine A	DATE 1/10/	19 5-7017 \$ 4107.U	615 Files fract in the fueles 7/2110 O 4 Instrict Fraction Files from the fueles Files
	Credit 2-hours Search Time	\$92.93	-\$92.93	<u> </u>
	16% Agency Proce	Subtotal ssing Overhead	\$403.05 \$64.49	

Page 4 of 4

\$64.49

\$467.54

Total Due

Exhibit C-4



DEPARTMENT OF VETERANS AFFAIRS VA BOSTON HEALTHCARE SYSTEM

Brockton Campus, 009-PO 940 Belmont Street Brockton, MA 02301-5596

February 19, 2019

FOIA Request No.: 19-02781-F

Mickey Long mickeylong@outlook.com

Dear Mr. Long:

This letter is the initial agency decision on your December 19, 2018 request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, for:

"...any activity under the contractor BR Steel, LLC or Greystone Iron, Corp. (or both) ("Subcontractor"), please provide an opportunity to inspect and copy:

- 1. All certified payroll records (including any submitted under 40 USC, Section 3145) submitted by any entity reflecting labor performed by the Subcontractor's Employees;
- 2. All daily records of the awarding agency (including any of its agents) for the time frame during which the Subcontractor performed labor on the project, and all records describing any work performed by the Subcontractor, including documents showing any hours of labor performed by any of the Subcontractor's employees on the Project;
- 3. Any payment bond issued by the general or prime contractor (the Miller Bond);
- 4. Any and all contracts or subcontracts
 - a. between Monument Construction and the awarding authority; or
 - b. between Monument Construction and any firm where the contract regarded the scope of work or labor performed by the Subcontractor.
- 5. Any Davis-Bacon Act Wage Determinations for the Project."

Your FOIA request was received in my office on December 19, 2018.

The Contracting Service conducted a search for documents responsive your request. At the conclusion of the search, a total of 242 were found and 189 pages were determined to be responsive to your request.

My review of the document revealed that it contained information that falls within the disclosure protections of FOIA Exemption 6, 5 U.S.C. § 552(b)(6). FOIA Exemption 6 permits VA to withhold a document or information contained within a document if disclosure of the information would constitute a clearly unwarranted invasion of a living individual's personal privacy. Stated another way, VA may withhold information under FOIA Exemption 6 where disclosure of the information, either by itself or in conjunction with other information available to either the public or the FOIA requester, would result in an unwarranted invasion of an

individual's personal privacy without contributing significantly to the public's understanding of the activities of the federal government.

Specifically, the information I am withholding, as indicated on the enclosed documents, under FOIA Exemption 6 consists of Social Security Number, individual and vendor names (other than those listed in your request), handwritten signatures, job titles, and any internal comments regarding those individuals/vendors as the individuals associated with this information have a personal privacy interest in this information.

FOIA Exemption 6 permits VA to withhold a document or information contained within a document if disclosure of the information would constitute a clearly unwarranted invasion of a living individual's personal privacy. Stated another way, VA may withhold information under FOIA Exemption 6 where disclosure of the information, either by itself or in conjunction with other information available to either the public or the FOIA requester, would result in an unwarranted invasion of an individual's personal privacy without contributing significantly to the public's understanding of the activities of the federal government. Specifically, the information I am withholding, as indicated on the enclosed documents, under FOIA Exemption 6 consists of the *names*, *identifying characteristics and statements of individuals other than your client*, as the individuals associated with this information have a personal privacy interest in it.

The coverage of FOIA Exemption 6 is absolute unless the FOIA requester can demonstrate a countervailing public interest in the requested information by demonstrating that the individual is in a position to provide the requested information to members of the general public and that the information requested contributes significantly to the public's understanding of the activities of the Federal government. Additionally, the requester must demonstrate how the public's need to understand the information significantly outweighs the privacy interest of the person to whom the information pertains. Upon consideration of the materials provided, I have not been able to identify a countervailing public interest of sufficient magnitude to outweigh the privacy interest in this case. The individuals associated with this information have a personal privacy interest in information that outweighs any public interest served by disclosure of their identities under FOIA.

If you disagree with my determination to withhold the information under FOIA Exemptions 6 please be advised you may appeal to:

Office of the General Counsel (024)
Department of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, D.C. 20420

Case 1:19-cv-11025-NMG Document 1-4 Filed 05/01/19 Page 15 of 42

You also have rights to seek assistance and dispute resolution services from:

VHA FOIA Public Liaison:

Email Address: vhafoia2@va.gov
Phone Number: (877) 461-5038

Office of Government Information Services (OGIS)

Email Address: ogis@nara.gov Fax: 202-741-5769

Mailing address: Office of Government Information Services (OGIS)

National Archives and Records Administration

8601 Adelphi Road

College Park, MD 20740-6001.

If you should choose to file an appeal, your appeal must be postmarked no later than sixty (60) calendar days from the date of this letter. Please include a copy of this letter with your written appeal and clearly state why you disagree with the determinations set forth in this response.

Sincerely,

Melinda Lee, RHIT, CHPS Privacy, FOIA Officer

Phone: 774-826-2013 Fax: 774-826-3439

Melinda Lee

Exhibit C-5

mickeylong@outlook.com

From:

Lee, Melinda < Melinda.Lee3@va.gov>

Sent: To:

Thursday, March 21, 2019 9:22 AM

Cc:

Mickey Long; VHABHS FOIA Officers

Christina Himes

Subject:

RE: FOIA #19-02781

Good morning, Mr. Long,

This is an initial agency decision and the FOIA request has been closed at this level. Please direct your appeal as stated in your decision letter:

If you disagree with my determination to withhold the information under FOIA Exemptions 4 & 6 please be advised you may appeal to:

> Office of the General Counsel (024) **Department of Veterans Affairs** 810 Vermont Avenue, N.W. Washington, D.C. 20420

You also have rights to seek assistance and dispute resolution services from:

VHA FOIA Public Liaison:

Email Address:

vhafoia2@va.gov

Phone Number:

(877) 461-5038

Office of Government Information Services (OGIS)

Email Address:

ogis@nara.gov

Fax:

202-741-5769

Mailing address: Office of Government Information Services (OGIS)

National Archives and Records Administration

8601 Adelphi Road

College Park, MD 20740-6001.

If you should choose to file an appeal, your appeal must be postmarked no later than sixty (60) calendar days from the date of this letter. Please include a copy of this letter with your written appeal and clearly state why you disagree with the determinations set forth in this response.

Sincerely,

Melinda (Mindy) Lee, RHIT, CHPS

Privacy/FOIA Officer

VA Boston Healthcare 009-PO

940 Belmont Street

Brockton, MA 02301

Phone: 774-826-2013

Fax: 774-826-3439

From: Mickey Long <mickeylong@outlook.com> Sent: Wednesday, March 20, 2019 9:39 AM

To: Lee, Melinda < Melinda.Lee3@va.gov>
Cc: Christina Himes < Christina@wagelaw.net>
Subject: [EXTERNAL] RE: FOIA #19-02781

Good morning, Ms. Lee:

Again, thanks for providing the material you did provide. Two issues regarding your dedactions (Exemption 6(b)), please:

- 1. On the weekly certified payroll records you dedacted, among other dedactions, the hours each day individuals worked. We object to that dedaction. We understand and do not object to the workers' name or address dedactions, of course, given the current case law as to that information. But, the hours worked each day is public information. Nothing about that data set has to do with anyone's privacy. Exemption 6(b) does not apply. We can't see who worked those hours each of those days, only that on the public project someone put it those hours. If we can't get that data, please provide the case law upon which the government relies to show that that specific data is exempt under 6(b), which you claim (or any other exemption). We're hoping to avoid a legal challenge on that specific exemption claim, please.
- 2. On the Davis Bacon Wage & Benefit rate sheet where the Iron Workers rate is located (and other trades rates) you dedacted legally mandated benefit i.e., "Fringes" rate. This is clearly public information; indeed it's part of the minimum rate. If we can't get that data, please provide the case law upon which the government relies to show that data is exempt under 6(b), which you claim (or any other exemption). We're hoping to avoid a legal challenge on that specific exemption claim. Indeed, this rate sheet is provided to all the public in the announcement/solicitations of bids.

In short, would you please provide unredacted hours worked each day and a wage rate sheet with an unredacted "Fringes" column please?

Thanks again and best, Mickey 617-269-0229

From: Lee, Melinda < Melinda.Lee3@va.gov > Sent: Monday, March 11, 2019 10:25 AM
To: Mickey Long < mickeylong@outlook.com >

Cc: Christina Himes < Christina@wagelaw.net >; VHABHS FOIA Officers < VHABHSFOIAOfficers@va.gov >

Subject: RE: FOIA #19-02781-F Email 1

Mr. Long,

Attached is the final release of responsive records to FOIA 19-02781-F

Melinda (Mindy) Lee, RHIT, CHPS Privacy/FOIA Officer VA Boston Healthcare 009-PO 940 Belmont Street Brockton, MA 02301 Phone: 774-826-2013 Fax: 774-826-3439

From: Mickey Long <mickeylong@outlook.com>
Sent: Wednesday, February 20, 2019 1:23 PM
To: Lee, Melinda <melinda.Lee3@va.gov>
Cc: Christina Himes <Christina@wagelaw.net>
Subject: [EXTERNAL] RE: FOIA #19-02781-F Email 1

Thanks for letting me know.

From: Lee, Melinda < Melinda.Lee3@va.gov > Sent: Wednesday, February 20, 2019 1:16 PM To: Mickey Long < mickeylong@outlook.com > Subject: RE: FOIA #19-02781-F Email 1

Mr. Long,

That is an error on my part. One of the contract files was damaged and I placed all similar documents in a separate folder. These files will need to be sent to the submitter for review. I am sorry for the delay.

Melinda (Mindy) Lee, RHIT, CHPS Privacy/FOIA Officer VA Boston Healthcare 009-PO 940 Belmont Street Brockton, MA 02301 Phone: 774-826-2013 Fax: 774-826-3439

From: Mickey Long <mickeylong@outlook.com>
Sent: Wednesday, February 20, 2019 11:34 AM
To: Lee, Melinda <melinda.Lee3@va.gov>

Subject: [EXTERNAL] RE: FOIA #19-02781-F Email 1

I also notice that the Miller Bond was requested and not provided. Do you intend to provide that public document?

From: Lee, Melinda < Melinda.Lee3@va.gov>
Sent: Wednesday, February 20, 2019 10:30 AM

To: mickeylong@outlook.com

Cc: yeri@wagelaw.net; VHABHS FOIA Officers < VHABHSFOIAOfficers@va.gov>

Subject: FOIA #19-02781-F Email 1

Mr. Long,

Please see previous unsuccessful email to you. I am sending the response to your FOIA request 19-02781-F from another mailbox. Due to size I will be sending you 2 emails.

From: System Administrator

Sent: Tuesday, February 19, 2019 12:23 PM

Cc: Yeri Melo < veri@wagelaw.net >

Subject: Undeliverable: FOIA Request 19-02781-F

Your message did not reach some or all of the intended recipients.

Subject: RE: FOIA Request 19-02781-F

Sent: 2/19/2019 12:16 PM

The following recipient(s) cannot be reached:

Case 1:19-cv-11025-NMG Document 1-4 Filed 05/01/19 Page 20 of 42

Lee, Melinda on 2/19/2019 12:23 PM

This message could not be sent. Try sending the message again later, or contact your network administrator. You do not have the permission to send the message on behalf of the specified user. Error is [0x80070005-0x00004dc-0x0000524].

Mickey Long on 2/19/2019 12:23 PM

This message could not be sent. Try sending the message again later, or contact your network administrator. You do not have the permission to send the message on behalf of the specified user. Error is [0x80070005-0x00004dc-0x000524].

Yeri Melo on 2/19/2019 12:23 PM

This message could not be sent. Try sending the message again later, or contact your network administrator. You do not have the permission to send the message on behalf of the specified user. Error is [0x80070005-0x0004dc-0x000524].

Melinda (Mindy) Lee, RHIT, CHPS Privacy/FOIA Officer VA Boston Healthcare 009-PO 940 Belmont Street Brockton, MA 02301 Phone: 774-826-2013 Fax: 774-826-3439

Exhibit C-6A

```
General Decision Number: MA170017 09/08/2017 MA17
 Superseded General Decision Number: MA20160017
 State: Massachusetts
 Construction Type: Building
 County: Plymouth County in Massachusetts.
 BUILDING CONSTRUCTION PROJECTS (does not include single family
 nomes or apartments up to and including 4 stories).
Note: Under Executive Order (EO) 13658, an hourly minimum wage of $10.20 for calendar year 2017 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage fetermination at least $10.20 (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2017. The EO minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.
  nder the EO is available at www.dol.gov/whd/govcontracts.
                                       Publication Date
 Modification Number
                                         01/06/2017
02/03/2017
                                         03/10/2017
03/17/2017
                                         04/07/2017
04/14/2017
                                         05/05/2017
06/16/2017
                                         08/04/2017
                                         08/18/2017
                 10
                                         09/01/2017
                                         09/08/2017
  ASBE0006-007 09/01/2016
                                                                                 Fringes
  ASBESTOS WORKER/HEAT & FROST
  INSULATOR (Duct. Pipe. &
  dechanical System Insulation)....$ 45.09
                                                                                     (b) (6)
  BRMA0003-002 08/01/2016
                                                        Rates
                                                                                 Fringes
  BRICKLAYER (Includes
 BRMA0003-004 04/01/2017
                                                        Rates
                                                                                 Fringes
  TILE FINISHER..... 37.16
                                                                                     (b) (6)
(b) (6)
  TILE SETTER.....$ 50.80
    CARP0424-002 09/01/2017
  CARPENTER (Includes
 (b) (6)
  ELEC0223-004 09/01/2016
                                                                                  Fringes
  ELECTRICIAN..... 39.21
                                                                          (b) (6)
   ELEV0004-005 01/01/2017
                                                        Rates
                                                                                  Fringes
  ELEVATOR MECHANIC...... $ 55.86
                                                                              (b) (6)
  FOOTNOTE FOR ELEVATOR MECHANICS:
    a.Vacation: 6%/under 5 years based on regular hourly rate for
all hours worked. 8%/over 5 years based on regular hourly
rate for all hours worked.
b. PAID HOLIDAYS: New Year's Day; Memorial Day; Independence
Day; Labor Day; Veterans' Day; Thanksgiving Day; the Friday
after Thanksgiving Day; and Christnas Day
     after Thanksgiving Day; and Christmas Day.
   ENGI0004-012 06/01/2017
                                                         Rates
                                                                                  Fringes
```

OWER EQUIPMENT OPERATOR GROUP 1: Backhoe/Excavator/Trackhoe,		
LoaderGROUP 2: Bulldozer	\$ 46,38 \$ 45.93	(b) (6) (b) (6)
DOTNOTE: A. Paid Holidays: New Year's D Memorial Day, Independence Day, Day, Labor Day, Vetersns Day; T Christmas Day.	Patriot's 1	Day, Columbus
IRON0007-005 03/16/2017		
	Rates	Fringes
RONWORKER Structural, Ornamental and Reinforcing	\$ 43.73	(b) (6)
LABR0721-001 12/01/2016		
	Rates	Fringes
ABORER Common or General Mason Tender-Brick	\$ 31.90 \$ 32.15	(b) (6) (b) (6)
PAIN0035-018 01/01/2017		
	Rates	Fringes
AINTER (Brush/Roller, ncluding Drywall		
inisher/Taper)	\$ 37.86	(b) (6)
PAIN0035-019 01/01/2017		
	Rates	Fringes
LAZIER	\$ 37,86	(b) (6).
PLUM0051-001 09/01/2016	Rates	Fringes
LUMBER/PIPEFITTER (Includes VAC Pipe and Unit nstallation)	\$ 38.38	(b) (6)
ROOF0033-003 08/01/2017	D-4	Week was a
ACCEPTA	Rates	Fringes
SFMA0550-004 03/01/2017		(b) (6)
	Rates	Fringes
SPRINKLER FITTER (Fire Sprinklers)	\$ 56.08	(b) (6)
a. PAID HOLIDAYS: Memorial Day Thanksgiving Day and Christmas has been in the employment of a prior to any such paid holiday	Day, provic contractor	led the employee
SHEE0017-005 10/01/2015		
	Rates	Fringes
SHEET METAL WORKER (Includes	.\$ 35.60	(b) (6).
WELDERS - Receive rate prescribe	d for craft	
Note: Executive Order (EO) 13706 for Federal Contractors applies Davis-Bacon Act for which the cosolicitation was issued) on or acontract is covered by the EO, temployees with 1 hour of paid sitchey work, up to 56 hours of pai smployees must be permitted to upown illness, injury or other hea preventive care; to assist a familike family to the employee) who health-related needs, including resulting from, or to assist a filke family to the employee) who	to all continuate is at five January he contractick leave for d sick leave see paid sich-related ily member is ill, in preventive amily membe	warded (and any warded (and any y 1, 2017. If this or must provide revery 30 hours e each year. k leave for their needs, including (or person who is jured, or has other care; or for reasour (or person who is refor person who is the care; or for reasour refor person who is the reasour or for reasour refor person who is the reasour or for preson who is

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s available at www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the sited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical brder of "identifiers" that indicate whether the particular cate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate weighted union average rate).

Jnion Rate Identifiers

four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than "SU" or "UAVG" denotes that the union classification and rate were TORNEY Genotes that classification in the survey. Example: ptpM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this plassification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of t most current negotiated rate, which in this example is July 1,

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion late for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a ew survey is conducted.

Jnion Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those chat no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 108/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date or the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is

WAGE DETERMINATION APPEALS PROCESS

- 1.) Has there been an initial decision in the matter? This can
- an existing published wage determination
- a survey underlying a wage determination a Wage and Hour Division letter setting forth a position on

- a wage determination matter a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

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With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations Wage and Hour Division U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Mage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

> Wage and Hour Administrator U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

END OF GENERAL DECISION

Exhibit C-6B

		1		9/1/2018	N/A		Bucedie	Total Hourly Wages (G) Check No.	Wages	\$703.18	\$687.70		\$643.52	5723.96		\$687.70		\$687.70	and records directive the awarding	granteton.
ESETTS WEEKLY CERTIFIED PAYROLL REPORT FORM		401-349-5503		VA241-17-C	940 Belmont St Brockton, MA 02301			Project Base Wage Hours (A)	Fringe Ben.			<u>)</u>							Annual An	(78) Every contractor and subcontractor is required to submit a first and action or the issuance of a civil citation. authority. Failure to comply may result in the commencement of a criminal action or the issuance of a civil citation.
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¥		<u>o</u>		/b) /6)					Sun Mon		9	-1	<u>. </u>	1	X	<u> </u>	. 1	Q		Pursuant to MGI. Ch. 149 s. 278, Every contractor a authority. Failure to co
		on Cor		(b) (6)			Heavy Metal Corp.	Wak	Cassification	1ron 0015-006	Iran 0015-006		Iron 0015-006		iron 0015-006	300 Stone	100	Iran 0015-006		nt to MGL Ch.
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	74	Greystone Iron Corp	eal 1	of 16		1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1	Heavy Attn:	Employee Name and Last		81-F00									6-42	Note:

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	3	1		9/1/2018	In college commercial species along the contract of the contra	N/A		B#C+D+E AKF	Total Hourly Wages (c) Total Hourly Tablecone Draw Wages (f) Total Econe Total Econe		(6) (6) (6) (6) (7) (6) (7) (7) (7) (7) (7) (7) (7) (7) (7) (7	\$0.00	80.00	\$0.00	\$0.00	\$0.00	asyroli records <u>directly</u> to the awarding if citation.
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	Control of New York	Greystone Iron Corp				N/A		Heavy Metal Corp.	Employee Name and Last Emp 05HA	8	(b) (6	5)					Note: Pursua

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			9/15/2018		N/A			Project gross outly Wages (G) Chock No	Total Gross Wages	\$2,530.24	\$1,239.04	\$2,332.76	33,217.60	\$1,703.68	\$1,084.16	e awarding
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	P OIA Grevstone		3 of 16		Z		Heavy M Attn:	Employee Name and Emp	Complete Address	M-F0005				6		Note: Pur

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er en		9/15/2018		N/A		B+C+D+E	Fotal Hourly							
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organ Ware			STORY STORY	N/A	Constitution Conversion of Contraction	Heavy Me	Employee Name and Last Emplo	4 of SSN Certified						

MASSACHUESETTS WEEKLY CERTIFIED PAYROLL REPORT FORM

Pursuant to MGL Ch. 149 s. 278, Every contractor and subcontractor is required to submit a "true and Accurate" copy of their weekly payroll records <u>directly</u> to the awarding authority. Failure to comply may result in the commencement of a criminal action or the issuance of a civil citation.

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		0/15/2018	0707	N/A	AxF	Volect gras- Wages (G) Total Gross Wages	<u>\$22,478.08</u>	52,942.72	\$1,703.68	00'05	00'05	2000
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MASSACHUESETTS WEEKLY CERTIFIED PAYROLL REPORT FORM

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Pursuant to MGL Ch. 149 s. 27B, Every contractor and subcontractor is required to submit a "true and Accurate" copy of their weekly payroll records <u>directly</u> to the awarding authority. Failure to comply may result include again to a criminal action or the issuance of a civil citation.

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- Address	85 Douglas Pike, Smithfield RI 02917	FRIE	(b) (6)	Priblic World Projects Name:	MRI Addition	SUDJECT TREETON STREET	Greystone Iron Corp	Hours Worked	Tue Wed Thu Fri Sat								Pursuant to MGLCh. 149 s. 278, Every contractor and subcontractor is required to submit a "true and Accurate" copy of their weekly payroll records <u>directly</u> to the awarding authority. Failure to comply may result in the commencement of a criminal action or the issuance of a civil citation. Page 1 Of 2
	C.								Sun Mon	l us	l 10		9	l v	1 4	ي ا	149 s. 27B, Ever authority
	on Cor		(b) (6)	111			Heavy Metal Corp. Attn:	Wark	Cassification	iron 00,15-006	Iron 0015-006		Iron 0015-006	Iron 0015-006	Iron 0015-006	Iran 0015-006	it to MGL Ch.
	ine In				N/A		/ Meta	Emp OSHA	10 Certified		0						Pursuan
Compeny Variety	Greystone Iron Corp	Paralization Statistical	And Street Street Street Street				Heavy	Emolovee Name and		No Work Performed This week ending period	No Work Performed This week ending period	No Work Performed	This week ending period	No Work Performed This week ending period	No Work Performed This week ending period	No Work Performed This week ending period	Note:

MASSACHUESETTS WEEKLY CERTIFIED PAYROLL REPORT FORM

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