

Department of Public Works

City Hall
730 Washington Avenue
Racine, Wisconsin 53403
262.636.9121 – Public Works
262.636.9191 - Engineering



John C. Rooney, P.E.
Commissioner of Public Works

Ronald J. Pritzlaff, P.E.
Asst. Comm. Of Public Works/Operations

Ara P. Molitor, P.E.
City Engineer

November 1, 2024

TO: Alder Mollie Jones, Chair
Public Works and Services Committee

FROM: Ron Pritzlaff, Assistant Commissioner of Public Works

RE: Change Order No 1, Contract 2023032 Parking Ramp Maintenance,
Structurewerks, Inc.

We are submitting Change Order No. 1 on the above contract in the deduct amount of \$13,250.33.

The original contract was approved in the amount of \$530,013.00 under Resolution No. 0163-23 of March 7, 2023. This Change Order No. 1 brings the contract total to \$516,762.67.00.

Funding should be appropriated from the following account:

<u>ORG OBJECT</u>	<u>Description</u>	<u>Amount</u>
60383 57200	Building Improvements	(\$13,250.33)
	Total	(13,250.33)



October 31, 2024

RE: Racine Works Program Compliance

Structurewerks Inc.,

After careful consideration and review of all the information respective to **2023032 Parking Ramp Maintenance and Improvements**, the City of Racine has made the decision to assess a penalty for non-compliance of the Racine Works Program for failing to utilize eligible RWP-certified residents for at least 20% of the total project worker hours, as per Racine Works Program Ordinance Section 46-41 (d & e) below. Structurewerks achieved 0% of the above stated minimum goal.

(d)

Worker hours requirement. Contractors performing work under a non-exempt qualifying contract shall employ or ensure employment of eligible residents in the work under such contract and subcontracts to the extent that eligible residents perform qualifying work in the amount of 20 percent of the total project worker hours.

(e)

Verification; documentation. The contractor shall submit a monthly workforce participation report with each pay request. Such report shall include the name, street address, municipality of residence, race, gender, and total hours worked of each employee used for the contract, including such records of subcontractors for work under subcontracts. All reports and documents regarding workforce participation shall be submitted to the city purchasing agent. At the completion of the contract and before final payment under the contract, the contractor shall certify by affidavit whether it has complied with the RWP to the city purchasing agent. Contractors shall maintain personnel records listing the name, address, race, and gender of each employee used for the contract as well as payroll records that provide information from which compliance with RWP requirements can be determined, including such records of subcontractors for work of eligible residents under the subcontract. The contractor shall provide such documents to city upon reasonable notice during the pendency of the contract and shall maintain such payroll records for a period of at least three years after city's final payment under the contract. Contractors and subcontractors shall permit a city representative to engage in on-the-job interviews with employees to assist in determining compliance with RWP.

With regards to the assessed penalty, Section 46-41 (g) states the following:

Prohibition and penalty. No contractor or agent thereof shall fail to employ and use on non-exempt qualifying contracts eligible residents for at least the percent of qualifying work specified in this section. Upon failure of a contractor or agent to timely submit any monthly workforce participation report or the required final affidavit required under paragraph (e), above, the city may withhold payment, and such contractor or agent shall be prohibited from bidding on any qualifying contract until such report or affidavit is submitted. Upon failure of a contractor or agent thereof to fail to employ and use on non-exempt contracts eligible residents for at least the percent of qualifying work specified in this section, such contractor or agent thereof may be cited for such failure.

City of Racine
Purchasing Department
730 Washington Ave Room 102
Racine, Wisconsin 53403
www.cityofracine.org/purchasing



Michelle Hein
Purchasing Agent
Office: (262) 636-9143
Purchasing@cityofracine.org

Upon conviction, such person shall forfeit \$10,000.00, or two and one-half percent of the total cost of the qualifying contract as awarded, whichever is greater, plus statutory court costs.

Please note that a change order for this contract forfeiting a penalty of \$13,250.33 ($\$530,013 * 2.5\%$) will be deducted from the final payment, plus statutory court costs and will be forthcoming from Public Works.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Hein", is positioned below the word "Sincerely,".

Michelle Hein
Purchasing Agent

Cc: John Rooney, Commissioner of Public Works
Ronald Pritzlaff, Assistant Commissioner of Public Works
Jim Sullivan, City Administrator
Kathleen Fischer, Finance Director
Crystal Moore, Asst. Finance Director