



**Notification and details of sanctions case**

**General contractor: Northern Contracting Corp.**

**Project Name: 7186 Brighton High School Locker Rooms**

**Project Location: Brighton**

**Project start date: 9/22**

**Project projected end date: 3/23**

**Project % completion: 80%**

**Project Overall BRJP workforce performance:**

**(The BRJP Goals are 51%BR, 40%POC & 12%Female)**

**3,406 workhours**

**15% Boston residents (505 hrs)**

**38% People of color (1,286 hrs)**

**5% Women (156 hrs)**

**Contractors not in compliance:**

**Front Line Inc.**

**Northern Contracting Corp (self performance)**

**P.J. Dionne Company, Inc**

**Richard T Losordo Electrical**

**Violation: Failure to submit payrolls within before prescribed deadline (Each payroll needs to be submitted no later than 7 business days after each week ending date).**

**The date and number of the instance(s) of non-compliance and date(s) of corrective action meetings held in reference to those violations:**

**Total cumulative days late for payrolls: 867**

**Dates of instances of non-compliance: 9/03/2022 - 12/31/2022**

**Maximum dollar amount of fine: \$260,100.00**



## **Report of noncompliance:**

**Initial Meeting (Kick-Off Meeting) with Manuel Barbosa (BRJP monitor) to outline workforce goals, meetings and reporting requirements:**

**The initial “Kick-Of Meeting” was held on August 25, 2022 and the attendees included representatives from the developer, general contractor, the Public Facilities Department and Manuel Barbosa (BRJP monitor).**

**At this meeting the BRJP monitors (Manuel Barbosa) reviewed the BRJP workforce goals, required attendance at all necessary meetings, paperwork submissions and all other reporting responsibilities, including timelines related to payroll submissions.**

### **Preconstruction meetings with subcontractors:**

**Preconstruction meetings with all subcontractors have been held consistently with all subcontractors thus far on this project.**

**At these meetings the BRJP monitor (Manuel Barbosa) reviewed BRJP workforce goals, attendance at all necessary meetings, paperwork submissions and all other reporting responsibilities - including timelines related to payroll submissions.**

**Contractors provided their scopes of work to be performed, approximate start/end date of construction, trades on-site, number and make up of workers related to the BRJP goals.**

**The contractors listed on this report as being in violation did not raise any concerns with meeting their reporting obligations regarding the workforce goals, attending meetings or submitting required paperwork within the prescribed timelines (including timely payroll submissions).**



### Maximum amount of fines

Payrolls are late when they arrive later than 7 business days after the week ending date. This applies to each payroll submitted. For each day after this deadline that payrolls are not submitted, the non-compliant contractor may be fined a maximum of \$300.

Subcontractor ↑	Total days late	Maximum allowable fine
Costa Brothers Masonry		
Total	0	\$0.00
Front Line Inc.		
Total	327	\$98,100.00
Northern Contracting Corp (SubContracting)		
Total	225	\$67,500.00
P.J. Dionne Company, Inc		
Total	75	\$22,500.00
Richard T Losordo Electrical		
Total	240	\$72,000.00
Totals	867	\$260,100.00

### Items for consideration to determine fine

It's important that payrolls are submitted on time in order to ensure that contractors are meeting their BRJP workforce goals obligations. Given the seven (7) business day timeline (not including weekends), each contractor has up to 11 calendar days to submit payrolls to the BRJP Office and in so doing remain compliant with the requirements of the BRJP ordinance. Lack of timely submissions hinders the BRJP Office's ability to address and correct a contractor's performance, provide recommendations, workforce assistance etc.



The BRJP Ordinance is meant to provide a degree of visibility and transparency into the hiring of Boston residents, people of color, and women on public and private construction projects in Boston. This visibility allows for both construction monitors and general/subcontractors to evaluate and improve their performance against these employment standards over the duration of a project. Because construction projects, and the work performed by laborers, are time bound, the *timely* submission of payroll data to the BRJP Office is critical to ensuring this kind of corrective action is possible. Therefore, failure to submit payroll or the submission of late payroll, though they may be clerical errors, should be considered seriously by the Commission as grounds for sanctions.

It is also worth noting that one of the subcontractors identified above, Costa Brothers Masonry, whose work hours account for nearly 25% of the total project hours, have not submitted any late payrolls for the duration of the project. However, Northern Contracting Co., whose self performance accounts for only 8% of work hours of the project, has accumulated 225 days of late payroll, or approximately 25% of the total days of late payroll for the entire project. This indicates that Northern Contracting Corp. is not effectively holding either itself or its other subcontractors accountable to submitting weekly payroll to the BRJP Office on time. Given that this is one of the first recommendations for sanctions considered by the Commission, the BRJP Office recommends that a substantially lower fine than the maximum allowable fine of \$260,100.00 be assessed for Northern Contracting Corp. with the stipulation that the 7186 Brighton School Locker Rooms project be reviewed in three months, specifically with respect the timely submission of certified payrolls.



The Commission should also take into consideration the history of past BRJP performance for the general and subcontractors on the 7186 Brighton School Locker Rooms project, as well as the performance of past BRJP-monitored projects managed by the general contractor. <sup>1</sup>

Contractor ↑	% Residents	% POC	% Women
Northern Contracting Corp (self performance)	32.8%	54.0%	5.8%

Project name	% Residents	% POC	% Women	Completed
140 CLARENDON STREET	18.0%	38.6%	5.9%	2022
7084 DUDLEY BRANCH LIBRARY RENOVATIONS	28.0%	44.3%	4.0%	2020
7058 BTD TOW LOT FACILITY BLDG-PHASE 2	22.2%	43.1%	0.0%	2019
7036 GALLIVAN COMMUNITY CENTER IMPROVEMENTS	21.1%	42.0%	0.6%	2018
7103 ROSLINDALE LIBRARY	24.0%	39.4%	7.7%	2021
7067 STRAND THEATER ACCESS & LIFE SAFETY	24.2%	32.4%	0.7%	2019

Subcontractor ↑	% Residents	% POC	% Women	M/WBE
Front Line Inc.	32.0%	77.4%	38.2%	WBE
P.J. Dionne Company, Inc	33.0%	24.2%	9.1%	
Richard T Losordo Electrical	43.1%	45.7%	7.9%	

**Project Type: Public Facilities Department**

**Neighborhood: Brighton**

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<sup>1</sup> Contractors with no history of past BRJP performance that do not appear in the table below.



**Address: 7186 Brighton School Locker Rooms**

**BRJP project information:**

**Complete demolition and renovation of Boys and Girls locker rooms at Brighton High School.**



**Notice to be served to contractor**

**To whom it may concern:**

**This notice is to inform you and your team of an upcoming hearing with the Boston Employment Commission (BEC). The hearing is being held in regards to the 7186 Brighton School Locker Rooms project located at Brighton High School.**

**As you are aware, the above mentioned project is subject to the requirements of the Boston Resident Jobs Policy Ordinance which sets employment goals of 51% Boston resident, 40% people of color & 12% women on public and private construction projects in Boston and requires contractors employed on BRJP monitored projects to perform to the seven (7) compliance enforcement efforts listed below:**

- o Pre-construction meeting attendance***
- o Weekly payroll submission***
- o Corrective Action meeting attendance***
- o Boston Employment Commission Meeting attendance***
- o Providing communications/confirmations***
- o Jobs Bank Referral(s) submission***
- o Boston Resident Verifications***

**According to our records, one or more of the compliance enforcement efforts have been violated. In accordance with the Boston residents jobs policy ordinance sanctions and/or fines can be potentially assessed because of this violation(s).**

**This letter will serve as formal notification that a recommendation for the consideration of fines will be brought before the Boston Employment Commission Hearing at its scheduled monthly hearing, to be held (virtually) on**



January 18th, 2023. At this time, the Commission will review these violations and determine if a further hearing is necessary to determine if a fine is warranted and hold a determination vote.

Please be advised, as per Section 8-9.8 2(d) of the BRJP Ordinance, once a determination vote has been held, any party may appeal a vote to issue a fine for reconsideration by the Commission. Such appeal must be made in writing and must include a memorandum on not more than five (5) pages explaining why the Commission's decision should be reversed. Such appeal must be received by the Commission within thirty-five (35) days of the hearing date at which the fine was ordered.

Upon receipt of a timely appeal the Commission will schedule the appeal for a hearing and send notice to the appealing party and the assigned compliance monitor. At the hearing, the appealing party and the assigned compliance monitor may present additional relevant evidence. At the conclusion of the hearing, the Commission shall determine whether to vacate its initial findings based on the evidence presented on appeal.

Please direct any questions to Kim Odom (BEC Coordinator) via email at [kim.odom@boston.gov](mailto:kim.odom@boston.gov).

Thank you,

[Manuel Barbosa](#)

Construction Monitor, Boston Residents Jobs Policy Office  
Department of Supplier and Workforce Diversity  
City of Boston  
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