ILLINOIS DEPARTMENT OF LABOR

Rod R. Blagojevich
Governor

Michael J. Fenger
Director

October 6, 2003

Fox Valley Fence Co.
Mark Haveman
1625 Gilpen Ave.
South Elgin, Illinois 60177

#90510

RE: NOTICE OF FIRST VIOLATION
Public Body: Crystal Lake Park District
Project: Lippold Park Dog Area Fencing
IDOL Case No.: 03-PW-WJ06-0234

Dear Sir or Madam:

This letter is formal notice of the determination by the Illinois Department of Labor (IDOL) that the above named addressees have violated the Illinois Prevailing Wage Act (820 ILCS 130/1 et. seq.) (Act). This letter constitutes a Notice of First Violation and is issued by IDOL pursuant to Section 11a of the Act, and the Prevailing Wage Hearing Procedures, 56 Ill. Adm. Code 100.

The Department has determined that the above named addressees have violated the Act in regard to the above referenced project by the following conduct:

The above named addressee's have violated Section 3 of the Act by failing to pay the prevailing rate of wages of McHenry County to its workers. The Department has determined that the total amount of wages by which workers were underpaid was **$139.45**. This amount represents the difference between actual wages paid and the amount required under the Act. The assessed 20% statutory penalty amounted to **$27.89**. The total amount assessed against the contractor on this project was **$167.34**.

If the Department determines that the above named addressees have committed a second violation of the Act within two (2) years of the date of a Notice of First Violation, they will be subject to a summary debarment for a period of two (2) years, during which time it will be unable to perform work on any public work project. Upon issuance of Notice of Second Violation, they have the right to request a hearing to contest the violations underlying the Notices of First and Second Violations, pursuant to Section 11a of the Act and the Prevailing Wage Hearing Procedures. A hearing is NOT available solely upon Notice of First Violation.

Sincerely,

Michael J. Fenger

Michael J. Fenger
Director

STATE OF ILLINOIS BUILDING
160 NORTH LASALLE, SUITE C-1300
CHICAGO, ILLINOIS 60601-3150
(312) 793-2800
Fax: (312) 793-5257

ONE WEST OLD STATE CAPITOL PLAZA
3RD FLOOR
SPRINGFIELD, ILLINOIS 62701
(217) 782-6206
Fax: (217) 782-0596

REGIONAL OFFICE BUILDING
2309 WEST MAIN STREET, SUITE 115
MARION, ILLINOIS 62959
(618) 993-7090
Fax: (618) 993-7258