



ILLINOIS DEPARTMENT OF LABOR

Pat Quinn  
Governor

Catherine M. Shannon  
Director

February 6, 2009

B & M Concrete Construction  
9341 Taylor Road  
Magnolia, IL 61336

RE: **NOTICE OF FIRST VIOLATION**  
Certified Mail Receipt No.: 7006 2150 0004 5093 6530  
Public Body: City of Lacon  
Project: Several Project Locations for 2008  
IDOL Case No.: 2008-PW-LL06-0892

Dear Sir or Madam:

This letter is formal notice of the determination by the Illinois Department of Labor (IDOL) that the above named contractor or subcontractor has 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 contractor or subcontractor has violated the Act in regard to the above referenced project by the following conduct:

The above named contractor or subcontractor has violated Section 3 of the Act by failing to pay the prevailing rate of the wages of **Marshall County** to its workers. The Department has determined that the total amount of wages by which workers were underpaid was **\$1,292.69**. This amount represents the difference between actual wages paid and the amount required under the Act. The assessed 20% statutory penalty amounted to **\$258.54**. The total amount assessed against the contractor or contractor on this project was **\$1,551.23**. Although the Department has received payment of these amounts, the violations found during our investigation require the issuance of a First Notice of Violation.

If the Department determines that the above named contractor or subcontractor has committed a second violation of the Act within five (5) years of the date of a Notice of First Violation, the contractor or subcontractor will be subject to a summary debarment for a period of four (4) years, during which time they shall not be awarded any contracts for public works. Upon issuance of a Notice of Second Violation, the above named contractor or subcontractor they has 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,

Catherine Shannon  
Director

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

ONE WEST OLD STATE CAPITOL PLAZA  
3<sup>RD</sup> 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