



RECEIVED BY
OFFICE OF CITY CLERK
ERLAND CONSTRUCTION, INC.

MAR 2 12 02 PM '84
CAMBRIDGE, MASS.

1 NORTH AVENUE - P.O. BOX G
BURLINGTON, MASSACHUSETTS 01803
(617) 272-9440

March 1, 1984

Mr. Paul E. Healy
City Clerk
CITY OF CAMBRIDGE
City Hall
Cambridge, MA 02139

Re: CARPENTER'S LOCAL 40
Request for Release of Payrolls

Dear Mr. Healy:

Upon my return to the office on Monday, February 27, after a one-week absence, I was advised of receipt at our office of your letter dated February 27, 1984. This letter advised that a public hearing was scheduled for that evening at 6:00 p.m. to hear from representatives of the Carpenter's Union, Local No. 40 regarding construction work in progress at the Old Superior Court building on Third Street in East Cambridge.

I also understood that the issue of the Carpenter's request for the release of Erland payroll information would also be a matter of discussion. As you are probably aware, this issue has been in contention for some time.

Our position on this matter was stated in a letter dated February 24, 1984. This letter was hand-delivered to Mr. Birge Albright of the City Law Department on February 27, 1984 as we had been requested and directed. A copy of the letter was also mailed to Mr. Ned Handy, the Director of Block Grant Program. Basically, we feel that a public agency is charged with monitoring Davis Bacon compliance and can and must attest that the law is being complied with. However, the records of payroll information is not a matter for public disclosure or distribution.

During the afternoon of the 27th, I attempted to contact you to advise you that the late notification and other previous and pressing business commitments precluded my attendance or Erland's representation at the hearing. You were out, so I talked with and advised Mr. Connaughton accordingly.

Mr. Russell B. Higley, the City Solicitor, issued his opinion on the question of releasing "modified payrolls" of Erland Construction, Inc. and all its subcontractors which have carpenters with regard to the Bulfinch Square Project. Mr. Higley recommended "that we (the City) decline to release the payrolls."

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CITY OF CAMBRIDGE
March 1, 1984
Page 2.

I understand that the Council voted action that was directly opposite to the recommendations of the City Solicitor.

This vote is unfortunate.

Very truly yours,

ERLAND CONSTRUCTION, INC.



Robert P. McDonald
President

RPM/bc

cc: Kathy Spiegelman
Ned Handy
Birge Albright

12.

S-149

Comm. from Robert P. McDonald, Pres., Erland Construction Inc. Re: request of Carpenters Union Local #40 for the release of Erland Construction Inc.'s payroll information.

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In City Council,

March 12, 1984

2/12/84

Placed
on
File