


From: Maria Le MLe@SantaClaraCA.gov 
Subject: Public Statement: Stadium Authority's Statement on 49ers Request to Purchase Software to Comply with Prevailing Wage Laws
Date: October 13, 2020 at 1:07 PM
To: Communications Communications@SantaClaraCA.gov

ML



**City of
Santa Clara**
The Center of What's Possible

Public Statement

SCSA

SANTA CLARA STADIUM AUTHORITY

FOR IMMEDIATE RELEASE: Tuesday, October 13, 2020

CONTACT: Lon Peterson, Director of Communications, 408-615-5522 or lpeterson@santaclaraca.gov

Stadium Authority's Statement on 49ers Request to Purchase Software to Comply with Prevailing Wage Laws

SANTA CLARA, Calif. – Tonight, the Santa Clara Stadium Authority Board will consider the 49ers' request to purchase LCPtracker, a software system for certified payroll reporting, construction site compliance management and workforce reporting. These are critical elements of reporting to the Department of Industrial Relations for compliance with state worker wage laws (e.g., prevailing wage). This request is more evidence that the 49ers have not been properly complying with State Prevailing Wage Law for the first six years as the manager of Levi's Stadium.

"The exploitation of workers is especially egregious when committed by wealthy corporations who prioritize profits over people. We have a collective responsibility in Santa Clara to protect and pay low-wage workers who are employed by a billion-dollar industry." Jean Cohen, Interim Executive Officer of South Bay Labor Council, commented.

The Stadium Authority's review of the 49ers' request found significant errors and omissions to enter into a contract to comply with the prevailing wage law, such as:

- Mismanagement of a public contract by requesting 00% above contract value without

- mismanagement of a public contract by requesting 90% above contract value without explaining the need for additional funds;
- Removing, without any disclosure, their duty to comply with federal and state laws, including transparency laws, e.g., Brown Act or Public Records Act; and,
- Lack of fiscal transparency.

“We are concerned that the 49ers Management Company is still committing wage theft and the City and State need to stop it,” Mayor Gillmor added. “Over a year ago, we discovered that the 49ers had not been complying with the State’s Prevailing Wage law. A year later, the 49ers submit a request to purchase a software system commonly used to comply with the prevailing wage law, but they have removed from the contract their requirement to comply with California’s Ralph M. Brown Act and the Public Records Act, and any other federal or state laws that may apply. This is not acceptable!”

This situation raises additional concerns by the Stadium Authority with how the team has managed prior contracts. In September 2019, the Stadium Authority Board rescinded the Executive Director’s delegated purchasing authority. As a result of the Board’s action, effective Nov. 8, 2019, the 49ers must now seek approval from the Board and demonstrate properly and legally procuring goods and services before contracts may be executed.

About the Santa Clara Stadium Authority

Established to provide for the development and operation of Levi’s® Stadium, the Santa Clara Stadium Authority exists as a public body, separate and distinct from the City of Santa Clara. The seven elected members of the City Council serve as the governing board for the Stadium Authority. The mayor serves as chair of the Stadium Authority, with the city manager as the executive director and the city attorney as the Stadium Authority’s general counsel. The City is not liable for the debts or obligations of the Stadium Authority.

About the City of Santa Clara

Located at the heart of Silicon Valley about 45 miles south of San Francisco, the City of Santa Clara truly is “The Center of What’s Possible.” Incorporated in 1852, Santa Clara covers an area of 19.3 square miles with an estimated population of 129,498. Santa Clara is home to an extraordinary array of high-tech companies, including Applied Materials, Hewlett-Packard, Intel, Nvidia, Oracle, and Ericsson. The City of Santa Clara is also home to Santa Clara University, California’s Great America Theme Park, and Levi’s® Stadium, home of the San Francisco 49ers and SB50. For more information, go to SantaClaraCA.gov.

###

1500 Warburton Ave. Santa Clara, CA. 95050

santaclaraca.gov