

APPROVED

DEC 12 2007

REPORT OF GENERAL MANAGER

NO. 07-289

DATE December 12, 2007

**BOARD OF RECREATION
and PARK COMMISSIONERS**

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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: FIELD OF DREAMS - FIELD HOUSE (ALSO KNOWN AS GAFFEY STREET - FIELD OF DREAMS) (#1717D) (W.O. #E170961F) - CONTRACT NO. 3207 - DISCONTINUANCE OF RETENTION

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|------------|-------|-----------|---------------------------|
| R. Adams | _____ | J. Kolb | _____ |
| H. Fujita | _____ | F. Mok | _____ |
| S. Huntley | _____ | K. Regan | _____ |
| V. Israel | _____ | *M. Shull | <u><i>[Signature]</i></u> |

[Signature]
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve the request of Tobo Construction, Inc., to discontinue further retention for Field of Dreams - Field House (also known as Gaffey Street - Field of Dreams) (W.O. #E170961F) (#1717D), Contract No. 3207 ; and,
2. Direct the Board Secretary to notify all interested parties regarding said retention discontinuance.

SUMMARY:

The Department is in receipt of a request from Tobo Construction, Inc., for the Field of Dreams - Field House (also known as Gaffey Street - Field of Dreams) (W.O. #E170961F) (#1717D) project, Contract No. 3207, to discontinue withholding further retention for all subsequently approved payment claims as the project is more than eighty percent (80%) complete. The current construction contract amount is \$748,000. As of Payment Request No. 6, the total retention funds withheld amount to \$62,912. Pursuant to Division 01 - General Requirements, Section 20.D.1 and 2 of the contract, retention of ten percent (10%) is held on the original contract value of each approved payment claim until the amount paid of the original contract equals fifty percent (50%). The City may then, at its sole discretion, discontinue further retention on the original contract value for all subsequently approved payment claims if the

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project is progressing satisfactorily, provided that at any time during the course of the contract, the City may, at its sole discretion, reinstate the ten percent (10%) retention.

This conforms to standard practice on construction contracts. In addition, the project manager recommends that this request be honored as Tobo Construction, Inc., is in compliance with the contract and is moving forward with the project.

FISCAL IMPACT STATEMENT:

There will be no fiscal impact to the Department's General Fund as the monies involved are already appropriated to this contract.

Report prepared by Ejike Mbaruguru, Project Manager. Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, Bureau of Engineering; by Bradley Smith, P.E. Chief Deputy City Engineer, Bureau of Engineering; and by Michael A. Shull, Superintendent, Planning and Development Division, Department of Recreation and Parks.