

APPROVED

REPORT OF GENERAL MANAGER

NO. 11-001

DATE January 5, 2011

JAN 05 2011

C.D. 1, 9, 10, 15

BOARD OF RECREATION
and PARK COMMISSIONERS

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SUBJECT: FRED ROBERTS RECREATION CENTER (PRJ1500B) (W.O. #E170943F); LAFAYETTE PARK - RECREATION CENTER (PRJ1435A) (W.O. #E170317F); LINCOLN PARK - OUTDOOR FACILITIES REFURBISHMENT AND EROSION CONTROL (W.O. #E170491F); BANDINI CANYON TRAIL PARK (PRJ1200A) (W.O. #E1906001); DOWNEY POOL REPLACEMENT (PRJ1503P) (W.O. #E1906491) — ACCEPTANCE AND RELEASE OF STOP NOTICES ON CONSTRUCTION CONTRACTS

R. Adams	_____	F. Mok	_____
H. Fujita	_____	K. Regan	_____
S. Huntley	_____	*M. Shull	<u><i>M. Shull</i></u>
V. Israel	_____		

Nel Israel for
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Accept the following Stop Notice and direct staff to withhold the amount claimed, plus an additional sum equal to 25% thereof, to defray any costs of litigation in the event of court action, if said amounts of said funds are available, and to notify the contractors, sureties, and other interested parties that the amount of said claims plus 25% will be withheld; and,
2. Accept the following Release of Stop Notices.

SUMMARY:

STOP NOTICE:

The Department is in receipt of a legal notice to withhold construction funds, pursuant to California Civil Code Sections 3103 and 3181, on the following contract:

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Contract 3267 CD 9

Fred Roberts Recreation Center (PRJ1500B)
(W.O. #E170943F)
Project Status: 96% Complete
Project Impact: none

General Contractor: AWI Builders
Claimant: Safe-T-Scaffolding
Amount: \$4,626

RELEASE OF STOP NOTICES:

The Department is in receipt of Release of Stop Notices filed by the claimants below, which releases the Board from any and all liability for withholding funds from the general contractors or the sureties:

Contract 3237 CD 10

Lafayette Park - Recreation Center (PRJ1435A)
(W.O. #E170317F)
Project Status: 84% Complete
Project Impact: none

General Contractor: Western Alta Construction, Inc.
Claimant: Robertson's
Amount: \$5,211.59

Contract 3318 CD 1

Lincoln Park Outdoor Facilities Refurbishment
and Erosion Control (W.O. #E170491F)
Project Status: 75% Complete
Project Impact: none

General Contractor: Simgel Co., Inc.
Claimant: Greenfields Outdoor Fitness, Inc.
Amount: \$17,425.39

Contract 3266 CD 15

Bandini Canyon Trail Park (PRJ1200A)
(W.O. #E1906001)
Project Status: 90% Complete
Project Impact: none

General Contractor: Bitech Construction Co., Inc.
Claimant: Artisan Precast, Inc.
Amount: \$31,512.94

Contract 3279 CD 1

Downey Pool Replacement (PRJ1503P)
(W.O. #E1906491)
Project Status: 85% Complete
Project Impact: none

General Contractor: Horizons Construction Co. Int'l, Inc.
Claimant: MDT Materials, Inc.
Amount: \$6,205

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FISCAL IMPACT STATEMENT:

There is no fiscal impact to the Department's General Fund, as funds have already been appropriated for this purpose.

This report was prepared by LaTonya D. Dean, Commission Executive Assist.