

# APPROVED

12-14-2016

## BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 16-251

DATE December 14, 2016

C.D. 9

### BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CENTRAL RECREATION CENTER POOL AND BATHHOUSE RENOVATION PROJECT (W.O. #E1907620) PROJECT — DIRECTIVE TO RELEASE LABOR WITHHOLD ON CONSTRUCTION CONTRACT NO. 3513 WITH ACON DEVELOPMENT, INC.

AP Diaz

V. Israel

*for* \*R. Barajas

K. Regan

H. Fujita

N. Williams



General Manager

Approved

Disapproved

Withdrawn

### RECOMMENDATION

Direct the Department of Recreation and Parks' (RAP) Chief Accounting Employee to release Twenty-One Thousand Dollars (\$21,000.00) per the Directive from the Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance for Construction Contract No. 3513, with Acon Development, Inc.

### RELEASE OF CONTRACT PAYMENT

On April 20, 2016, the Board approved holding Four Hundred Forty-Three, Six Hundred Dollars (\$443,600.00) as assessed by the Directive from the Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance for Construction Contract No. 3513. (Report No. 16-098).

The Department of Recreation and Parks (RAP) received from the Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance of a Directive to Partially Release the Withheld Contract Payment of Four Hundred, Twenty-Two Thousand, Six Hundred Dollars (\$422,600.00), dated April 20, 2016 leaving a balance of Twenty-One Thousand Dollars (\$21,000.00)(Report No. 16-121).

RAP is in receipt of a Request for Release of Labor Withhold on Funds dated November 7, 2016 from OCC (Attachment 1) to release the remaining balance withheld, Twenty-One Thousand Dollars (\$21, 000.00) for Contract No. 3513.

### FISCAL IMPACT STATEMENT

Acceptance of the Directive to Release Contract Payment has no impact on RAP's General Fund.

BOARD REPORT

PG. 2

NO. 16-251

This Report was prepared by Iris Davis, Commission Executive Assistant I.

LIST OF ATTACHMENTS

- 1) Request to Release Labor Withhold on Funds

Date: October 13, 2016

To: Armando X. Bencomo  
Commission Executive Asst. II  
Dept. of Recreation & Parks  
Mail Stop #625/15

From: Hannah Choi, Program Manager  
Department of Public Works  
Bureau of Contract Administration  
Office of Contract Compliance  
By Leland Young  
Labor Compliance Analyst

BOARD OF RECREATION  
AND PARK COMMISSIONERS  
2016 OCT 18 AM 9:16

*Hlu*

Subject: **REQUEST TO RELEASE LABOR WITHHOLD ON FUNDS**

**CENTRAL RECREATION CENTER POOL & BATHHOUSE RENOVATION E1907620**

**Prime Contractor: ACON Development, Inc.**  
**Subcontractor: A.P.S. Electric, Inc.**  
**Subcontractor: Mectec, Inc.**

Please release the Labor withhold on the retention payment on the above listed project by **\$21,000.00**. This amount represents the settlement of restitution and penalties incurred by ACON Development, Inc. and two of its subcontractors for labor violations due to non-submittal of payrolls. The total Labor withholding on this project should now be **\$00.00**.

Listed below is the Summary of Withhold Requests on this project to date:

Date Withhold Requested	Date Release Requested	Contractor	Amount
3/17/16		A.P.S. Electric, Inc.	\$22,000.00
3/17/16		Mectec, Inc.	\$22,000.00
3/18/16		ACON Development, Inc.	\$399,600.00
	4/20/16	A.P.S. Electric, Inc.	(\$22,000.00)
	4/20/16	Mectec, Inc.	(\$22,000.00)
	4/20/16	ACON Development, Inc.	(\$378,600.00)
	10/13/16	ACON Development, Inc.	(\$21,000.00)
Total Amount Withheld			\$00.00

If you have any questions regarding this matter, please contact Leland Young at (213) 847-2663.

cc: ly/chrono/file

Frank Rinaldi, BCA Principal Construction Inspector

Willis Yip, BOE Architect/PM I  
Mail Stop #507

Iris Davis, RAP Commission Exec Asst I  
Mail Stop #625/15