

APPROVED
02-01-2017

**BOARD OF RECREATION
AND PARK COMMISSIONERS** NO. 17-017

DATE February 01, 2017

C.D. 2

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LOS ANGELES RIVERFRONT PARK – PHASE II (W.O. #E170406F) PROJECT
— REQUEST FOR RELEASE OF CONTRACT PAYMENT ON
CONSTRUCTION CONTRACT NO. 3385 WITH SIMGEL COMPANY INC.,

AP Diaz _____ V. Israel _____
*R. Barajas _____ N. Williams _____
H. Fujita _____



General Manager

Approved ✓ _____ Disapproved _____ Withdrawn _____

RECOMMENDATION

Direct the Department of Recreation and Parks' (RAP) Chief Accounting Employee to release One Hundred Seven Thousand, Four Hundred Fifty-Five Dollars and Fifty-Five Cents (\$107,455.55) of the amount withheld on Construction Contract No. 3385 with Simgel Company, Inc. in accordance with the Request for Release of Partial Contract Payment dated January 11, 2017 from the Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance (OCC), herein included as Attachment 1, for the Los Angeles Riverfront Park – Phase II (W.O. #E170406F) Project.

SUMMARY

On April 20, 2016, the Board of Recreation and Park Commissioners (Board) approved the withholding of \$615,878.88 on Construction Contract No. 3385 pursuant to OCC's Directive to Withhold Contract Payments dated November 3, 2015, which represented restitution and penalties incurred by Simgel for the underpayment of prevailing wages and other violations. The Board also approved the release of \$115,700.00 of the amount withheld on April 20, 2016 pursuant to OCC's Request for Partial Release of Contract Payment(s) dated January 28, 2016 (Report No. 16-096).

On May 18, 2016, the Board approved a subsequent request from OCC to decrease the amount withheld to \$487,512.60 pursuant to the Revised Request to Withhold Contract Payments dated April 15, 2016 (Report No. 16-124). On September 9, 2016, the Board approved a request from OCC to decrease the amount withheld to \$357,455.55 pursuant to the Request for Partial Release of Contract Payment dated August 23, 2016 (Report No. 16-198).

On October 19, 2016, the Board approved a subsequent request from OCC for the Partial Release of Contract Payment(s) dated October 7, 2016 for an additional One Hundred Twenty-Five Thousand Dollars and No Cents (\$125,000.00), leaving a balance of Two Hundred Thirty-

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Two Thousand, Four Hundred Fifty-Five Dollars and Fifty-Five Cents (\$232,455.55) for Contract No. 3385 (Report No. 16-222).

The Board approved a subsequent request from OCC for the Partial Release of Contract Payment dated November 7, 2016 from OCC to release an additional One Hundred Twenty-Five Thousand Dollars and no Cents (\$125,000.00) of the amount withheld, leaving a balance of One Hundred Seven Thousand, Four Hundred Fifty-Five Dollars and Fifty-Five Cents (\$107,455.55) for Contract No. 3385 (Report No. 16-244).

RAP is in receipt of a Request for Partial Release of Contract Payment(s) dated January 11, 2017 from OCC to release the remaining balance withheld, One Hundred Seven Thousand, Four Hundred Fifty-Five Dollars and Fifty-Five Cents (\$107,455.55) for Contract No. 3385.

FISCAL IMPACT STATEMENT

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

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

LIST OF ATTACHMENTS

- 1) Request for Partial Release of Contract Payment for Contract No. 3385

Date: January 11, 2017

OCC File No: R13-001

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 Jacqueline Basuel
Management Analyst II

Subject: **REQUEST FOR PARTIAL RELEASE OF CONTRACT PAYMENT**

LOS ANGELES RIVERFRONT PARK PHASE II

E170406F

Prime Contractor: Simgel Company, Inc.

Please release **\$107,455.55** of the amount withheld by the Office of Contract Compliance (OCC) of **\$107,455.55** from the contract payments on the above listed project. This release will reduce the amount being withheld by the OCC for prevailing wage violations to **\$0.00**.

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

Date Withhold Requested	Date Release Requested	Contractor	Amount
04/15/16		Simgel Co., Inc.	\$ 487,512.60
	08/22/16	Simgel Co., Inc.	(\$ 66,692.05)
	08/22/16	Simgel Co., Inc.	(\$ 63,365.00)
08/23/16		Simgel Co., Inc.	\$ 357,455.55
	10/07/16	Simgel Co., Inc.	(\$ 125,000.00)
10/07/16		Simgel Co., Inc.	\$ 232,455.55
	11/07/16	Simgel Co., Inc.	(\$ 125,000.00)
11/07/16		Simgel Co., Inc.	\$ 107,455.55
	01/11/17	Simgel Co., Inc.	(\$ 107,455.55)
Total Amount Withheld			\$ 0.00

If you have any questions regarding this matter, please contact Jacqueline Basuel at (213) 847-2661.

cc: jb/chrono/file

Jaime Contreras, BOE Project Manager
Mail Stop # 549

Misak Hovsepian, PWB Sr. Accountant I
Mail Stop #477