

APPROVED

MAY 17, 2017

BOARD REPORT

BOARD OF RECREATION
AND PARK COMMISSIONERS

NO. 17-126

DATE May 17, 2017

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GAFFEY STREET POOL — POOL AND NEW BATHHOUSE RESTORATION (PRJ20726) (W.O. #E1907453F) PROJECT — ACCEPTANCE OF STOP PAYMENT NOTICE AND RELEASE OF STOP PAYMENT NOTICE ON CONSTRUCTION WITH AWI BUILDERS, INC., CONTRACT NO. 3514

AP Diaz _____

V. Israel _____

for R. Barajas *CS* _____

N Williams _____

H. Fujita _____



General Manager

Approved ✓

Disapproved _____

Withdrawn _____

RECOMMENDATIONS

1. Direct Department of Recreation and Parks (RAP) staff to withhold the amounts claimed in the following Stop Payment Notice, herein included as Attachment 1, plus an additional sum equal to 25% thereof, to defray any costs of litigation in the event of court action, if said amount of said funds are available, and to notify contractors, sureties, and other interested parties that the amount of said claim plus 25% will be withheld; and,
2. Direct the RAP Chief Accounting Employee to release \$8,524.83 of the amount withheld on Construction Contract No. 3514 with AWI Builders, Inc. in accordance with the Request for Release of Stop Notice dated March 17, 2017 from Sunbelt Rentals, herein included as Attachment 2, for the Gaffey Street Pool — Pool and New Bathhouse Restoration (PRJ20726) (W.O. #E1907453F) Project.

STOP PAYMENT NOTICE

RAP is in receipt of a Stop Payment Notice to withhold construction funds, pursuant to California Civil Code Sections 9350 et seq. on the following Construction Contract:

Contract 3514

CD 15

Gaffey Street Pool — Pool and New Bathhouse
Restoration (PRJ20726) (W.O. #E1907453F)
Construction Status: Construction

General Contractor: AWI Builders, inc.
Claimant: Sunbelt Rentals

Project Impact: None

Amount: \$8,524.83

BOARD REPORT

PG. 2 NO. 17-126

RELEASE OF STOP PAYMENT NOTICE

RAP is in receipt of Release of Stop Payment Notice filed by the claimant below, which releases the Board from any and all liability for withholding funds from the general contractors or the sureties:

Contract 3514 CD 15

Gaffey Street Pool — Pool and New Bathhouse Restoration (PRJ20726) (W.O. #E1907453F) Construction Status: Construction	General Contractor: Claimant:	AWI Builders, Inc. Sunbelt Rentals
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Project Impact: None	Amount:	\$8,524.83
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FISCAL IMPACT STATEMENT

Acceptance of Stop Payment and Release of Stop Notices has no impact on RAP's General Fund.

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

LIST OF ATTACHMENTS

- 1) Stop Payment Notice filed by Sunbelt Rentals
- 2) Release of Stop Payment Notice filed by Sunbelt Rentals

STOP PAYMENT NOTICE - PUBLIC WORKS
(California Civil Code Section 9350 et seq.)

TO THE OWNER OR REPUTED
CITY OF LOS ANGELES BOARD OF
RECREATION & PARKS COMMISSIONERS
ATTN: IRIS DAVIS
221 NORTH FIGUEROA ST SUITE 300
LOS ANGELES, CA 90012

TO THE DIRECT OR REPUTED CONTRACTOR
A W I BUILDERS INC
7831 PARAMOUNT BLVD
PICO RIVERA, CA 90660
562-948-1133

TO THE CUSTOMER OR BUYER
A W I BUILDERS INC
7831 PARAMOUNT BLVD
PICO RIVERA, CA 90660

TO THE LENDER/SURETY OR
CONTRACTORS & DEVELOPERS BONDING
COMPANY
534 EAST BADILLO ST
COVINA, CA 91723
Bond/Loan # SU1127223

RECEIVED
CITY OF LOS ANGELES
2017 FEB -2 AM 9:36

PLEASE TAKE NOTICE THAT Sunbelt Rentals has a claim in connection with the public work known as GAFFEY STREET POOL (POOL & NEW BATH HOUSE RESTORATION), located at 3351 GAFFEY ST, LOS ANGELES, CA 90731, in the County of Los Angeles. The specific contract information is for Our Job/ Invoice POOL HOUSE.

The claimant furnished the following kind of labor, services, equipment, materials or service charges: Various Construction Equipment Rentals. The name of the party to whom the material was furnished or supplied, or for whom the labor was done or performed, is A W I BUILDERS INC, 7831 PARAMOUNT BLVD, PICO RIVERA, CA 90660.

WHEREFORE, the claimant prays that the public entity, upon receipt of this Stop Notice, withhold from the direct contractor, or from any person acting under his authority, sufficient money due or to become due to such contractor to answer this claim stated in such stop notice and to provide for reasonable cost of any litigation thereunder.

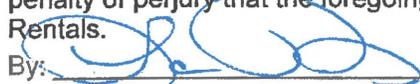
The total value of labor, services, equipment and materials furnished by claimant or agreed to be performed was \$34,176.31. That the value of labor, service, equipment, materials and service charges so performed or furnished as of the date of this notice is \$34,176.31. That such claim has not been paid in full except that there has been paid against the balance due the sum of \$25,651.48. The unpaid balance is now \$8,524.83, including service charges or interest at the rate of 18% per annum.

Dated 2/6/2017 for Sunbelt Rentals, 7626 NE Killingsworth Portland, OR 97218.

By: 
Laura Pavey, for Sunbelt Rentals

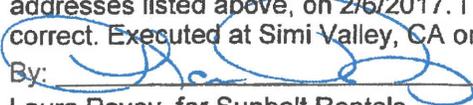
VERIFICATION

I declare that I am authorized to file this Stop Payment Notice on behalf of the claimant. I have read the foregoing document and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct. Executed at Simi Valley, CA on 2/6/2017 for Sunbelt Rentals.

By: 
Laura Pavey, for Sunbelt Rentals

PROOF OF SERVICE BY MAIL AFFIDAVIT

I declare that I served a copy of the above document, and any related documents, by (as required by law) first-class, certified or registered mail, postage prepaid, addressed to the above named parties, at the addresses listed above, on 2/6/2017. I declare under penalty of perjury that the foregoing is true and correct. Executed at Simi Valley, CA on 2/6/2017.

By: 
Laura Pavey, for Sunbelt Rentals

CLAIM AGAINST PAYMENT OR LIEN BOND; AND
CLAIM AGAINST FUNDS HELD IN TRUST

TO THE OWNER OR REPUTED
CITY OF LOS ANGELES BOARD OF
RECREATION & PARKS COMMISSIONERS
ATTN: IRIS DAVIS
221 NORTH FIGUEROA ST SUITE 300
LOS ANGELES, CA 90012

TO THE DIRECT OR REPUTED CONTRACTOR
A W I BUILDERS INC
7831 PARAMOUNT BLVD
PICO RIVERA, CA 90660
562-948-1133

TO THE LENDER/SURETY OR
CONTRACTORS & DEVELOPERS BONDING
COMOANY
534 EAST BADILLO ST
COVINA, CA 91723
Bond/Loan # SU1127223

TO THE CUSTOMER OR BUYER
A W I BUILDERS INC
7831 PARAMOUNT BLVD
PICO RIVERA, CA 90660

TO ALL BONDING COMPANIES, SURETIES, PRINCIPAL CONTRACTORS AND OWNERS OF THIS PROJECT:

Notice is hereby given that Sunbelt Rentals is the claimant furnishing labor, services, equipment or materials for the work of improvement known as GAFFEY STREET POOL (POOL & NEW BATH HOUSE RESTORATION, located at 3351 GAFFEY ST, LOS ANGELES, CA 90731, for which you are one of the known lenders, bonding companies or sureties.

The specific contract information is for Our Job/Invoice POOL HOUSE.

The claimant furnished the following kind of labor, services, equipment, materials or service charges: Various Construction Equipment Rentals. The name of the party to whom the material was furnished or supplied, or for whom the labor was done or performed, is A W I BUILDERS INC, 7831 PARAMOUNT BLVD, PICO RIVERA, CA 90660, who is one of the contractors or the General Contractor of this job.

There is due to Sunbelt Rentals the sum of \$8,524.83 which has not been paid. This is to notify you that in the event payment is not made in full to our company, suit will be brought against the sureties of this project for recovery of said sum, plus service charges, interest, court costs and attorney fees.

The time of the commencement of performance of labor, or the furnishing of materials was 11/2/2015. The time of cessation of performance of labor or furnishing of materials was 12/12/2016. The date the debt became due is: See attached.

Please acknowledge receipt of our claim and advise us how soon it will be paid in full. If you have any questions, please feel free to contact us as soon as possible.

Dated 2/6/2017

By: 

Laura Pavey
Sunbelt Rentals
7626 NE Killingsworth
Portland, OR 97218

File # 949207

RELEASE OF STOP PAYMENT NOTICE - Public Work
Legal Notice To Release Construction Funds
(California Civil Code § 9350 et seq.)

TO THE OWNER OR REPUTED OWNER
CITY OF LOS ANGELES BOARD OF
RECREATION & PARKS COMMISSIONERS
ATTN: IRIS DAVIS
221 NORTH FIGUEROA ST SUITE 300
LOS ANGELES, CA 90012

TO THE DIRECT OR REPUTED CONTRACTOR
A W I BUILDERS INC
7831 PARAMOUNT BLVD
PICO RIVERA, CA 90660
562-948-1133

TO THE CUSTOMER OR BUYER
A W I BUILDERS INC
7831 PARAMOUNT BLVD
PICO RIVERA, CA 90660

TO THE LENDER/SURETY OR REPUTED
CONTRACTORS & DEVELOPERS BONDING
COMOANY
534 EAST BADILLO ST
COVINA, CA 91723
Bond/Loan #

2017 MAR 23 PM 2:58
COURT CLERK
SUPERIOR COURT
LOS ANGELES COUNTY

The undersigned hereby withdraws and releases the Stop Payment Notice filed on 2/6/2017 with the following owner (s) or reputed owner(s): CITY OF LOS ANGELES BOARD OF RECREATION & PARKS COMMISSIONERS, ATTN: IRIS DAVIS, 221 NORTH FIGUEROA ST SUITE 300, LOS ANGELES, CA 90012 for claims against A W I BUILDERS INC, 7831 PARAMOUNT BLVD, PICO RIVERA, CA 90660.

The claimant has been PAID IN FULL for labor, services, equipment, materials or service charges performed or furnished for the performance or construction of the public work commonly known as GAFFEY STREET POOL (POOL & NEW BATH HOUSE RESTORATION, located at 3351 GAFFEY ST, LOS ANGELES, CA 90731, in the County of Los Angeles.

The specific contract information is for Our Job/Invoice .

The undersigned also hereby releases from the above said public entity, and its subdivisions and agents, any further duty under the laws of this State to withhold money or bonds in response to the Stop Payment Notice, and waives any right of action against them that might accrue thereunder.

Dated 3/17/2017 for Sunbelt Rentals, 7626 NE Killingsworth Portland, OR 97218.

By: Antonia Lauer
Antonia Lauer, Lien Coordinator, for Sunbelt Rentals

VERIFICATION

I declare that I am authorized to file this Release of Stop Payment Notice on behalf of the claimant. I have read the foregoing document and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct. Executed at Portland, OR on 3/17/2017 for Sunbelt Rentals.

By: Antonia Lauer
Antonia Lauer, Lien Coordinator, for Sunbelt Rentals

RELEASE OF BOND CLAIM - Public Work

TO THE OWNER OR REPUTED OWNER
 CITY OF LOS ANGELES BOARD OF RECREATION
 & PARKS COMMISSIONERS
 ATTN: IRIS DAVIS
 221 NORTH FIGUEROA ST SUITE 300
 LOS ANGELES, CA 90012

TO THE DIRECT OR REPUTED CONTRACTOR
 A W I BUILDERS INC
 7831 PARAMOUNT BLVD
 PICO RIVERA, CA 90660
 562-948-1133

TO THE LENDER/SURETY OR REPUTED
 CONTRACTORS & DEVELOPERS BONDING
 COMOANY
 534 EAST BADILLO ST
 COVINA, CA 91723
 Bond/Loan # SU1127223

TO THE CUSTOMER OR BUYER
 A W I BUILDERS INC
 7831 PARAMOUNT BLVD
 PICO RIVERA, CA 90660

The undersigned hereby withdraws and releases the Bond Claim filed on 2/6/2017 with the following owner(s) or reputed owner(s): CITY OF LOS ANGELES BOARD OF RECREATION & PARKS COMMISSIONERS, 221 NORTH FIGUEROA ST SUITE 300, LOS ANGELES, CA 90012 for claims against A W I BUILDERS INC, 7831 PARAMOUNT BLVD, PICO RIVERA, CA 90660.

The claimant has been PAID IN FULL for labor, services, equipment, materials or service charges performed or furnished for the performance or construction of the work commonly known as GAFFEY STREET POOL (POOL & NEW BATH HOUSE RESTORATION, located at 3351 GAFFEY ST, LOS ANGELES, CA 90731, in the County of Los Angeles.

The specific contract information is for Our Job/Invoice .

The undersigned also hereby releases from the above said surety, any further duty under the laws of the State of California to withhold money or bonds in response to the Bond Claim, and waives any right of action against them that might accrue thereunder.

Dated 3/17/2017 for Sunbelt Rentals, 7626 NE Killingsworth Portland, OR 97218.

By: Antonia Lauer
 Antonia Lauer, Lien Coordinator

VERIFICATION

I declare that I am authorized to file this Release of Bond Claim on behalf of the claimant. I have read the foregoing document and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct. Executed at Portland, OR on 3/17/2017 for Sunbelt Rentals.

By: Antonia Lauer
 Antonia Lauer, Lien Coordinator, Lien Administrator