

# APPROVED

OCT 18 2017

## BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 17-223

DATE October 18, 2017

C.D. 15

### BOARD OF RECREATION AND PARK COMMISSIONERS

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

AP Diaz	_____	V Israel	_____
*R. Barajas	_____	S. Pifa-Cortez	_____
H. Fujita	_____	N. Williams	_____

  
 \_\_\_\_\_  
 General Manager

Approved   X   Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

### RECOMMENDATION

Direct Department of Recreation and Parks (RAP) staff to withhold the amount claimed in the following Stop Payment Notices, 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.

### STOP PAYMENT NOTICE

RAP is in receipt of a legal notice to withhold construction funds, pursuant to California Civil Code Sections 8044 on the following contract:

Contract 3514      CD 15

Gaffey Street Pool – Pool And New Bathhouse Restoration (PRJ20726)(W.O. #E1907453F)	General Contractor:	AWI Builders., Inc.
Project Status: Construction	Claimant:	SWCA Environmental Consultants
Project Impact: None	Amount:	\$10,585.55

### FISCAL IMPACT STATEMENT

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

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

### LIST OF ATTACHMENT(S)

- 1) Stop Payment Notice from SWCA Environmental Consultants

# Stop Payment Notice

CALIFORNIA CIVIL CODE SECTION 8044

NOTICE TO: City of Los Angeles Department of Recreation and Parks  
(If Private Job - File with responsible officer or person at office or branch of construction lender administering the construction funds or with the owner - CIVIL CODE SECTIONS 8500 - 8560)  
(If Public Job - file with office of controller, auditor, or other public disbursing officer whose duty it is to make payments under provisions of the contract - CIVIL CODE SECTIONS 9350 - 9510)

Direct Contractor: AWI Builders, Inc.  
Sub Contractor (If Any): \_\_\_\_\_  
Owner or Public Body: City of Los Angeles Department of Recreation and Parks

Improvement known as Gaffey Street Pool Restoration Project

County of Los Angeles, State of California.

SWCA Environmental Consultants Claimant, a consulting firm

furnished certain labor, service, equipment or materials used in the above described work of improvement. The name of the person or company by whom claimant was employed or to whom claimant furnished labor, service, equipment, or materials is AWI Builders, Inc.

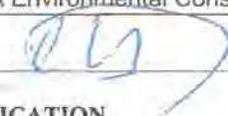
The kind of labor, service, equipment, or materials furnished or agreed to be furnished by claimant was: cultural resources consulting services, including archaeological data recovery

Total value of labor, service, equipment, or materials agreed to be furnished.....	\$ 56,006.00
Total value of labor, service, equipment, or materials actually furnished is.....	\$ 56,006.00
Credit for materials returned, if any.....	\$ 0
Amount paid on account, if any.....	\$ 45,420.45
Amount due after deducting all just credits and offsets.....	\$ 10,585.55

YOU ARE HEREBY NOTIFIED to withhold sufficient monies held by you on the above described project to satisfy claimant's demand in the amount of \$ 10,585.55 and in addition thereto sums sufficient to cover interest, court costs and reasonable costs of litigation, as provided by law.

A bond (CIVIL CODE SECTION 8532) \_\_\_\_\_ attached. (Bond required with Stop Payment Notice served on construction lender on private jobs - bond not required on public jobs or on Stop Payment Notice served on owner on private jobs)

Date: August 2, 2017 Name of Claimant: SWCA Environmental Consultants

By: 

### VERIFICATION

I, the undersigned, state: I am the Senior Principal of the claimant named in the foregoing Stop Payment Notice; I have read said claim of Stop Payment Notice and know the contents thereof, and I certify that the same is true of my own knowledge. I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 2, 2017, at Pasadena, State of California.



### REQUEST FOR NOTICE OF ELECTION (Private Works Only)

If an election is made not to withhold funds pursuant to this Stop Payment Notice by reason of a payment bond having been recorded in accordance with Sections 8600, 8536 or 8542, please send notice of such election and a copy of the bond within 30 days of such election in the enclosed preaddressed stamped envelope to the address of the claimant shown above. This information must be provided by you under Civil Code Section 8538.

Signed: \_\_\_\_\_

2017 JUL 31 AM 9:35  
RECEIVED  
CITY OF LOS ANGELES  
DEPARTMENT OF RECREATION AND PARKS