

APPROVED

REPORT OF GENERAL MANAGER

NO. 08-92

APR 16 2008

DATE April 16, 2008

BOARD OF RECREATION
and PARK COMMISSIONERS

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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PAN PACIFIC SENIOR ACTIVITY CENTER – BUILDING IMPROVEMENTS
(W.O. #PRJ1731C) - RELEASE OF FUNDS WITHHELD UNDER CONTRACT
NO. 3157 TO A.W.I. BUILDERS, INC.

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

[Signature]
General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board release to A.W.I. Builders, Inc., funds in the amount of \$17,014.64, previously withheld due to filing of Stop Notice claims, which claims have now expired.

SUMMARY:

The Board of Recreation and Park Commissioners accepted the following Stop Notices filed against A.W.I. Builders, Inc., under Department Contract No. 3157 for the Pan Pacific Senior Activity Center – Building Improvements project (W.O. #PRJ1731C):

<u>Acceptance Date</u>	<u>Claimant</u>	<u>Amount</u>
January 3, 2007	Flintridge Landscape Company, Inc.	\$5,718.06
February 7, 2007	Baron Brothers Nursery, Inc.	\$1,047.54
September 5, 2007	Konila Electrical Services, Inc.	<u>\$10,249.04</u>
TOTAL AMOUNT		\$17,014.64

REPORT OF GENERAL MANAGER

PG. 2

NO. 08-92

On August 14, 2007 the Board accepted the work on the project as complete and A.W.I. Builders, Inc. was furnished with a letter of completion. Flintridge Landscape Company, Inc., Baron Brothers Nursery, Inc. and Konila Electrical Services, Inc. were required to perfect their respective stop notice claims within 180 days of the Board's acceptance of the project and were notified in writing on February 26, 2008 to respond within 15 days whether their stop notices had been perfected. Flintridge Landscape Company, Inc., Baron Brothers Nursery, Inc., and Konila Electrical Services, Inc., failed to respond; the 180-day period has expired and Civil Code Section 3210 requires that the funds withheld be paid to the contractor. Therefore, it is now in order to release the subject funds to A.W.I. Builders, Inc.

FISCAL IMPACT STATEMENT:

Release of funds will have no impact on the Department's General Fund.

Prepared by LaTonya D. Dean, Commission Executive Assistant.