

APPROVED

REPORT OF GENERAL MANAGER

MAY 20 2009

NO. 09-111

DATE May 20, 2009

BOARD OF RECREATION and PARK COMMISSIONERS

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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PACIFIC PALISADES RECREATION CENTER - NEW GYMNASIUM (#1638D) - RELEASE OF FUNDS WITHHELD UNDER CONTRACT NO. 2827 TO BEGL CONSTRUCTION CO., INC.

R. Adams	_____	J. Kolb	_____
H. Fujita	_____	F. Mok	_____
S. Huntley	_____	K. Regan	_____
V. Israel	_____	*M. Shull	<i>[Signature]</i>

*[Signature]*  
 \_\_\_\_\_  
 General Manager

Approved *[Signature]* \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board release to BEGL Construction Co., Inc. all funds previously withheld to satisfy stop notice claims in the amount of \$16,682.50, which claims have now expired.

SUMMARY:

The Board of Recreation and Park Commissioners accepted the following Stop Notices filed against BEGL Construction Co., Inc. under Department Contract No. 2827 for the Pacific Palisades Recreation Center – New Gymnasium (#1638D):

<u>Acceptance Date</u>	<u>Claimant</u>	<u>Amount</u>
September 6, 2000	PSI/Pac Sales, Inc.	\$15,000.00
November 1, 2000	Rolls Scaffold & Equipment	<u>\$1,682.50</u>
<b>TOTAL AMOUNT</b>		<b>\$16,682.50</b>

On October 18, 2000 the Board accepted the work on the project as complete and BEGL Construction Co., Inc. was furnished with a letter of completion. PSI/Pac Sales, Inc. and Rolls Scaffold & Equipment was required to perfect their stop notice claim within 180 days of the Board's acceptance of the project and was notified in writing on April 1, 2009 to respond within 15 days as to whether their stop notices had been perfected.

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PSI/Pac Sales, Inc. and Rolls Scaffold & Equipment 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 BEGL Construction Co., Inc.

FISCAL IMPACT STATEMENT:

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

This report was prepared by LaTonya D. Dean, Commission Executive Assistant.