

REPORT OF GENERAL MANAGER

APPROVED

NO. 10-343

DATE December 8, 2010

DEC 08 2010

C.D. 10

BOARD OF RECREATION
and PARK COMMISSIONERS

SUBJECT: LAFAYETTE PARK – RECREATION CENTER (W.O. #E170317F) –
ACCEPTANCE OF STOP NOTICE ON CONSTRUCTION CONTRACT

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

[Signature]
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board direct staff to withhold the amount claimed in the following Stop Notice, 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.

SUMMARY:

STOP NOTICE:

The Department is in receipt of a legal notice to withhold construction funds, pursuant to California Civil Code Sections 3103 and 3181, on the following contract:

| | | | |
|--|-------|---------------------|---------------------------------|
| <u>Contract 3237</u> | CD 10 | General Contractor: | Western Alta Construction, Inc. |
| Lafayette Park – Recreation Center (PRJ1435A) (W.O. #E170317F) | | Claimant: | Arc Accucon Construction, Inc. |
| Project Status: 98% Complete | | Amount: | \$201,187.05 |
| Project Impact: none | | | |

FISCAL IMPACT STATEMENT:

Acceptance of Stop Notices has no impact on the Department's General Fund.

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